

HOUSE OF REPRESENTATIVES—Tuesday, October 26, 1993

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

As we walk through the events of daily living and immerse ourselves in the human experiences, may we be aware, gracious God, of Your guiding hand that points to a purpose and a meaning to all existence. May we not be so troubled by the pressures of job or relationships that we forget Your promises of hope and a better way, Your assurances of a renewed spirit, and Your peace that passes all human understanding. No matter how great the trouble, we are grateful for faith; no matter how steep the climb, we are thankful for Your strength. Bless us this day and every day, we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. The Chair recognizes the gentleman from New Jersey [Mr. SMITH] to lead the House in the Pledge of Allegiance.

Mr. SMITH of New Jersey led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MAKING IN ORDER ON TODAY OR ANY DAY THEREAFTER CONSIDERATION OF FURTHER CONFERENCE REPORT AND AMENDMENTS IN DISAGREEMENT ON H.R. 2445, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1994

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that it be in order on today or any day hereafter, clause 2 of rule XXVIII notwithstanding, to consider a further conference report and amendments reported from conference in disagreement on the bill (H.R. 2445) making appropriations for energy and water development for the fiscal year ending September 30, 1994, and for other purposes;

That the conference report, amendments in disagreement, and motions printed in the joint explanatory state-

ment of the committee of conference to dispose of amendments in disagreement be considered as read; and

That points of order under clause 7 of rule XVI against the motion printed in the joint explanatory statement of the committee of conference to dispose of the amendment of the Senate numbered 33 be waived, that such motion be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and that the previous question be considered as ordered on such motion to final adoption without intervening motion or demand for division of the question.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. BURTON of Indiana. Mr. Speaker, reserving the right to object, I would just like to say to my colleagues on the other side of the aisle that we continue to get closed and restrictive rules that violate minority rights in this House. The only way to send a signal is to object to these kinds of motions.

Mr. Speaker, I am not going to object, but I hope the majority will start thinking more favorably about open rules.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled bills and joint resolution on Monday, October 25, 1993:

H.R. 328, to direct the Secretary of Agriculture to convey certain lands to the town of Taos, NM;

H.R. 2491, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1994;

H.R. 2519, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes;

H.R. 2750, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes; and

H.J. Res. 228, to approve the extension of nondiscriminatory treatment with respect to the products of Romania.

BREAST CANCER AWARENESS MONTH

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, I rise today during Breast Cancer Awareness Month to urge my colleagues to recognize the importance of funding for breast cancer research and education programs.

Women develop breast cancer more than any other type of cancer. It is tragic that every 3 minutes, a woman is diagnosed with breast cancer, and every 12 minutes a woman dies from the disease.

This year, about 20,000 women in my home State of California will discover they have breast cancer, and approximately 4,800 California women will die from breast cancer.

While risk factors such as family history help indicate a predisposition to breast cancer, over 70 percent of breast cancer occurs in women who have no identifiable risk factors.

Mr. Speaker, women can do something to protect themselves. Although there is no cure for breast cancer, and we do not know how to prevent it, early detection of the disease is a vital key for successful treatment.

Adult women, especially women over age 50, should get mammograms; do a monthly breast self-examination; and have an annual clinical breast exam—done by a trained health care professional.

I urge this body to help in fighting the disease by devoting funds to research on better detection methods and cures. Our lives depend on it.

IT'S TIME FOR REFORM: WHERE ARE THE DEMOCRATS?

(Mr. DOOLITTLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Speaker, it's time for reform: Where are the Democrats? Republicans are eager to begin.

In September, Democrats promised October would be reform month.

Then as most of October disappeared, they decided that the last week in October this week would be reform week.

Now, they announce reform is moving to November.

The only consistency here is that reform gets scaled back as it gets moved back on the calendar.

The Democrat calendar seems to have all its days labeled "tomorrow."

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Apparently Democrats are dressing up for Halloween as reformers this year; and they've decided to pull a large trick on America instead of giving out the promised reform treat.

If the Democrats postpone their ever-receding, ever-shrinking reform agenda once again, I think turkey day would be appropriate for its consideration.

NAFTA IS IMPORTANT FOR ECONOMIC FUTURE OF AMERICA

(Mr. TORRICELLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TORRICELLI. Mr. Speaker, the defeat of the Conservatives in Canada's election presents the Clinton administration with a problem and an opportunity. A problem, because the new Canadian Government is certain to seek renegotiations and changes in the NAFTA agreement, leaving this Congress with the legislative equivalent of hopping onto a moving train. It presents an opportunity, because for a series of environmental and labor rights reasons, the NAFTA agreement already required some changes.

Mr. Speaker, I am urging therefore today that the Clinton administration seize this opportunity, return to the negotiating table, and deal with the substantive problems that already exist, working with our new Canadian partners. The NAFTA agreement is important for the economic future of this country, important enough that it is worth doing right.

□ 1210

THE PRESIDENT'S HEALTH CARE PLAN

(Mr. GINGRICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGRICH. Mr. Speaker, tomorrow, apparently, after 5 weeks of having testimony without a bill, the President will actually introduce his health bill. I hope this introduction will indicate that they have learned some lessons for the last 5 weeks. I hope they will have taken out the provision that would allow a single State to eliminate Medicare.

I hope they will be candid about the tax they seek to impose on every American in the form of a several hundred billion dollar tax for health services. I hope they will have taken out the provision that would allow the Secretary of the Treasury, by himself or herself, to unilaterally impose an employee payroll tax on one State.

There is area after area where the President's original plan, as he explained it here, was different from the plan released by the White House. I hope tomorrow's legislative introduc-

tion will have a clear and a candid outline that all of us can agree on in terms of facts, even if we disagree on policy. I think, then, the real hearings and the real testimony can begin, because only then will we have a real bill to look at.

A SECRET THAT EVERYBODY KNOWS

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, the big story in Washington today is not about taxes. It is not about trade. It is not about murder.

The big story in the District of Columbia today is about a diary. A diary of a politician is being hushed up because other Washington, DC, politicians may be implicated.

Mr. Speaker, what is so secretive? Stainless steel panty hose? Chain link lingerie?

There is no big secret here. The American people, the American worker will not be surprised at all because of a very simple fact: Washington politicians have been screwing them for years.

KICKING OFF REFORM WEEK

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, today was to have marked the beginning of a high-profile Reform Week. But the Democrat leadership has backtracked on its promise, and now Reform Week has been sloughed off to next month. I am not holding my breath and I am not waiting for the leadership. Today I am introducing legislation to ban lobbyist-paid travel for Members and their staff. The House ethics manual has seven pages devoted to the can and cannots of accepting travel from private sources. Most Members do not even know the rules and most Americans believe that lobbyists are buying special access along with the plane ticket, the hotel room, and the golf fees. The American people want change that will restore their confidence in this institution. Letting people know that when we travel we are working for all America, not for one particular interest, is one change that we should make—now.

JOBS, JOBS, JOBS

(Miss COLLINS of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Miss COLLINS of Michigan. Mr. Speaker, in Detroit last week, 20,000 people stood in line for hours at the Detroit Post Office hoping to get a job

when the U.S. Postal Service made available applications for the civil service exam. Let me be clear: They were not advertising jobs. They were merely making available the applications that determine eligibility for employment; and 20,000 showed up. Sadly, for last week's job seekers, the Postal Service is only hiring from a pool of eligible applicants from 1989.

Mr. Speaker, this line of 20,000 job seekers, 1 in every 50 Detroiters, speaks volumes. The unemployed people in my district want jobs. They are ready to work.

In a few weeks, we will vote on the NAFTA trade agreement and then reinvent Government. But what about jobs? I submit to my colleagues that nothing on our agenda is more important than Americans having jobs now. Some are saying that the economy has turned the corner, that it is on the path to recovery. Twenty thousand people in line in Detroit tells me that we still have a long way to go. America needs a comprehensive jobs program that will put our people back to work.

CONGRESSIONAL REFORM

(Mr. THOMAS of Wyoming asked and was given permission to address the House for 1 minute.)

Mr. THOMAS of Wyoming. Mr. Speaker, somebody once said that reform, congressional or otherwise, consists of taking a bone from a hound. Ironically, many freshman Members of the majority who campaigned on campaign and term limitations had a chance to take that bone away the first day, when we organized. Unfortunately, they wimped out on that. For the past several years, we have been wrestling with just such a hound, the hound of the House Post Office, the House Bank, or the House Restaurant.

And it roams the moors of this institution freely because simple ideals—such as a free and open process in committee and on the floor, proxy voting, appropriate ratios in committee membership and staffing, and open committee hearings and meetings—have been set aside.

Mr. Speaker, it is time for us to reclaim those ideas. It is time for the Joint Committee on the Organization of Congress to unleash its report. And it is time for us to debate that report and all that it encompasses under an open rule.

NAFTA

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, as a NAFTA backer, I am keenly sympathetic to the concerns people have about the treaty. For this reason, I supported the side agreements on labor

and the environment. And I am supporting comprehensive job retraining measures and the establishment of a development bank, such as the one proposed by Representative ESTEBAN TORRES of California.

As for companies pulling up stakes and moving to Mexico, the problem is that they can do that today, without NAFTA. NAFTA will not only not spark a further exodus, it will give companies an added incentive to stay in the United States because it dramatically cuts Mexican tariffs. U.S. tariffs are not as affected because they are already low. The result is that the Mexican market will open up to American-made goods much more than the already accessible United States market will expand for Mexican goods.

Opening up Mexico's market to American-made goods is especially beneficial to Colorado. Our trade with Mexico more than doubled between 1987 and 1992, as did our exports to Canada, our other NAFTA participant. Canada is now our second largest trading partner, and Mexico is our sixth. Colorado exports to Canada and Mexico totaled \$673 million in 1992, representing almost 18,000 jobs. That is a huge number of jobs. In effect, exports to our northern and southern neighbors employ more people than the State's largest private-sector company, US West, which has 16,000 employees.

NAFTA is a major plus for Colorado and I am proud to support it.

REFORM WEEK

(Ms. DUNN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DUNN. Mr. Speaker, this was supposed to be Reform Week in the Congress. What happened?

As I look at my floor schedule, I just have to shake my head. Not one bit of reform legislation on this entire week's calendar. No spending reform, no lobbying reform, no campaign reform and, most disappointing to me, no congressional reform.

Now the Speaker says November will be Reform Month. I am beginning to believe he has the right month but the wrong year.

Mr. Speaker, the only way real reform, bold reform will be achieved in this institution is with the November election of 1994. Only then will the American people be able to clean house, and thereby clean up this House.

Only then can the Democrat majority become the Democrat minority. We will not get the spending cuts the President promised us. We will not get the gift ban. The Democrat version of campaign reform is making the taxpayers pay for elections, and real congressional reform is being derailed, as we speak, by senior Democrats.

Mr. Speaker, the Democrat majority has put off reform one too many times.

There have been 40 years of scandal, spending, special interests and shadow, not sunshine, on our efforts. I just hope the American people have had enough.

JUSTICE DEPARTMENT ABOUT TO SEND THE WRONG SIGNAL ON CHILD PORNOGRAPHY

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, the Justice Department is about to send a very wrong signal on child pornography cases. Child pornography, as we know, is one of the most despicable, depraved, and disgraceful crimes against humankind.

In the case of Knox versus the United States, which came out of the Federal District Court for the Middle District of Pennsylvania, and then affirmed on appeal to the third circuit, a conviction against a child pornographer was rendered. The case is now on appeal to the Supreme Court and, in a brief filed by the Justice Department, the Justice Department ask a reinterpretation of the existing law on child pornography to make it harder, not easier, to make it harder to reach a conviction on that most despicable of crimes, child pornography.

Mr. Speaker, I hope that the Justice Department has some opportunity to withdraw its brief and recast its argument to support the conviction in the district court and to support the affirmation on appeal to the third circuit. A terrible message otherwise will have been sent by the Justice Department that child pornography is not the horrible criminal act that we know that it is.

□ 1220

THE MIRAGE

(Mr. HEFLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HEFLEY. Mr. Speaker, reform in the House is like a mirage. The closer we get to it, the further it goes away.

This last week in October was supposed to be "Reform Week," but we are not even talking about reform of this institution, but the smoke screen of campaign, lobbying, and spending reform. Even the smoke screen has been pushed back to sometime in November.

The Joint Committee on the Organization of the Congress was supposed to make its final recommendations for far-reaching reform by October, so we could vote on those recommendations by the end of the session. Now, we may vote on those reforms sometime next year, if at all.

Mr. Speaker, this House is beset by corruption, marred by institutional

gridlock, handicapped by inefficiency, and tainted by scandal. It needs reform.

Let us hope that the mirage of reform becomes reality.

A SALUTE TO PRESIDENT REAGAN AND SUPPORTERS ON THE 10TH ANNIVERSARY OF GRENADA INVASION

(Mr. LIVINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, yesterday was the 10th anniversary of one of the most significant cold war victories for the forces of freedom. It was on October 25, 1983, that United States airborne troops and marines landed on the island of Grenada to liberate American medical students, and the people of Grenada, from brutal, revolutionary Communist thugs. It was the very first time that United States troops had been used to actually liberate a country from Communist control, and it marked the turning point in America's battle against Soviet expansionism.

At Grenada, the United States moved from the old doctrine of containment of communism to a new strategy of rolling back the Communist menace. President Reagan's rollback strategy was so successful that in just 6 short years the Berlin Wall fell, and 2 years later the Soviet Union itself disintegrated.

So on the 10-year anniversary of the liberation of Grenada, I salute President Reagan and all the good people who used Grenada as a springboard from which to launch the most successful freedom offensive the world has ever known.

CONGRESS SHOULD BE AS FAIR AND OBJECTIVE WITH REGARD TO WASHINGTON, DC, AS "PLACES RATED ALMANAC"

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, we should all thank the 1993 edition of the widely respected publication, "Places Rated Almanac," for helping us gain perspective through the publication of the best 343 metropolitan areas in North America. Washington, DC, and its metropolitan area ranked seventh.

The survey is based on transportation, health care, the arts, cost of living, job outlook, housing market, recreation, climate, and yes, crime.

Today's high rating for Washington reveals how important it is to evaluate a city in light of all the ingredients that account for the quality of life. At the moment, in the District, crime in a few areas heavily burdened with poverty has skewed the reputation and the

morale of one of America's most beautiful cities, containing many of the Nation's most livable and comfortable neighborhoods. Places Rated Almanac helps eliminate stereotypes of trouble spots in America as well. Small cities and regions were disproportionately at the bottom of the ratings.

These ratings show how much Americans have in common, and how much we need to pull our domestic economy together nationally without exception. Meanwhile, it's awfully nice to be rated so high. All Washingtonians ask is that Congress judge us with the fairness and objectivity of Places Rated Almanac.

CLINTON WORKS TO WEAKEN CHILD PORN LAW IN UNITED STATES

(Mr. SMITH of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of New Jersey. Mr. Speaker, last month, with noticeably little fanfare, the Justice Department postured for a significantly weakened interpretation of child pornography law, giving further protection to kiddie porn peddlers and pedophiles at the expense of vulnerable children.

Outraged, shocked, and dismayed by this action, last Wednesday, nearly one-third of the Members of this House signed a bipartisan letter to Attorney General Janet Reno expressing this body's strong support for existing Federal child pornography law and urging her to abandon the Department's dangerous new position. On that very day, ironically, Ms. Reno testified before a Senate committee in favor of confining TV violence to hours where children are least likely to be in the audience. This, she says, comes from her dedication to protecting children.

Mr. Speaker, it would appear to me while Ms. Reno speaks as a child advocate, her actions, at least in this case, prove otherwise. The Clinton Justice Department's abandonment of aggressive child porn prosecution amounts to a policy of appeasement toward child pornographers and pedophiles, and is no less than an engraved invitation to the child porn industry to exploit our children.

For the children of America, reverse course, Mr. Clinton, before another child is exploited.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MONTGOMERY). The Chair would announce that the gentleman from New Jersey [Mr. SMITH] cannot address the President directly; the Chair would prefer him to address the Chair, and he will relay the message.

INTRODUCTION OF LEGISLATION TO GUARANTEE CERTAIN HAITIAN CHILDREN UNITED STATES RESIDENT STATUS

(Mrs. MEEK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MEEK. Mr. Speaker, today I am introducing legislation which would allow the Haitian children of legal United States residents and citizens to adjust their status here in the United States.

As a result of a backlog of cases, antiquated facilities, a shortage of officers and the closure of the United States consulate office in Haiti for a year after the coup that deposed President Jean-Bertrand Aristide, numerous children of legal United States residents and United States citizens are being stranded in Haiti. Most of the children have lived in the United States for years and were summoned to the consulate for routine interviews, the final step in becoming a legal resident. In all of the cases the petitions for these children have been approved by the Immigration and Naturalization Service. Usually approval is automatic, as long as parents can prove they can support the children without public assistance.

But consular officers are denying these children the necessary visas to return to the only home they know, requiring more documentation. Even when the necessary proof has been received, children are forced to remain in Haiti for months separated from their families, friends, and schools—for a new appointment at an already overburdened consular office. As a result, many of the children are having to miss school and oftentimes live with strangers, costing their parents thousands of dollars to support them in Haiti. Too many of them are having to stay in poor neighborhoods which are subjected to constant gunfire by the military-backed thugs.

Mr. Speaker, it is negligent of us to send these children back to Haiti for what is usually a 1-day interview in other countries to determine if these children actually were the offspring of people who were granted amnesty by the 1986 Immigration and Nationality Act. There is something terribly wrong with immigration policies and procedures that disrupt lives and break up the families of legal Haitian residents. If Haiti is not safe enough for armed soldiers to land there, it certainly is not safe for children to be there.

ARE JURY VERDICTS DESIGNED TO SATISFY THUGS AND MOBS?

(Mr. COBLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COBLE. Mr. Speaker, several days prior to the return of the jury's

verdict regarding the attack upon Reginald Denny, a constituent said to me, "I hope that jury's decision does not upset the thugs and mobs in Los Angeles. Otherwise, they will try to burn down the city again." Have we reached this low point, that we are dictated to dispense jury verdicts designed to satisfy thugs and mobs? If so, we should abandon our judicial system, because it cannot function as intended.

The silver lining, Mr. Speaker, that surfaced from this brutal attack, however, involves two class acts, a truck driver who was savagely and unmercifully beaten by thugs, and his four fellow citizens, who rushed to his rescue.

As for the thugs individually, and the mobs collectively, they serve no good purpose for themselves nor for society.

TRIBUTE TO OBERT C. TANNER

(Ms. SHEPHERD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SHEPHERD. Mr. Speaker, it is with both sorrow and pride that I rise to honor Obert C. Tanner, a man of intellect, peace, and enormous generosity. His passing at 89 left Utah richer for his generous philanthropy but much poorer for the loss of his fierce love of beauty, the arts, and philosophy.

His gifts to Utah, the Nation, and indeed the world include 42 fountains in location spread from Oxford University to Salt Lake City. He and his wife of 62 years, Grace, gave generously of their time and resources as they enriched the Utah community in every way.

The Tanner lectures on human values, given annually at nine universities from Cambridge to Stanford and funded by a \$10 million endowment will remain O.C. Tanner's lasting gift to all of us. The lectures will continue to speak of the values he held and those he taught by example as a teacher of philosophy.

I was one of the lucky ones. O.C. Tanner was my teacher. As a freshman in his philosophy of religion course, I learned from him how ideas can electrify the intellect and how the great philosophers can illuminate the moral dilemmas of humanity.

Mr. Speaker, as Justice Warren Burger said upon hearing of O.C.'s passing, "His life is the story of America. He was lavish with his worldly goods to the arts, music, education, and public affairs but he also gave of himself." I agree. O.C. Tanner's legacy will live beyond him.

□ 1230

THE PROMISED LAND

(Mr. LINDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LINDER. Mr. Speaker, this week, we were to enter the promised land of congressional reform. The Speaker had assured the press and the House that this week we would finally consider campaign, lobbying, and spending reform legislation.

The promised land has now been pushed back another week.

Mr. Speaker, as long as the majority in this Congress continues to rule imperiously, we will never reach that promised land.

As I look up at the gallery, and see the representations of great law-givers on the wall in this Chamber, I see the eyes of Moses staring down in judgment on our actions.

Moses struggled to find the promised land after 40 years in the desert.

Much like Moses, it seems we will only reach our promised land of reform when we break the Democrats 40-year control of this institution.

FEDERAL TROOPS IN WASHINGTON, DC

(Mr. APPELEGATE asked and was given permission to address the House for 1 minute.)

Mr. APPELEGATE. Mr. Speaker, the United States sent the Marines to Beirut, we sent troops to Grenada, we sent our military troops to Panama, we sent them to Kuwait, we sent them to Somalia. And if we can do that for the rest of the world, why do we not do it for Washington, DC?

I say we ought to give Mayor Sharon Pratt Kelly the authority to be able to call out the National Guard if she so desires to stop the killing and to restore peace in Washington, DC. It is time the carping council started to work with the mayor.

It is a shame that Washington, DC, has become the murder capital of the world. There has been over 370 murders this year, with 2 months to go.

If we believe in world peace, I think we should start in our Nation's Capital. Do not forget: Washington too is a part of the world.

PROTECTION OF CHILDREN IS IMPORTANT FEATURE OF THE REPUBLICAN CRIME PROPOSAL

(Mr. FISH asked and was given permission to address the House for 1 minute.)

Mr. FISH. Mr. Speaker, the Republican crime proposal (H.R. 2872) has many worthy goals—but none more important than the protection of our children. I have previously spoken of provisions in the bill to make our schools safe—community policing and tougher penalties for violations of the Gun-Free School Zones Act. Today, I bring to the attention of the House other elements to protect our children from those who would abuse, exploit, and victimize.

We send a message to would-be offenders. We double penalties for those

who use minors in the commission of a crime. We create new crimes to combat child pornography and drugs, and to catch dead-beat dads. In addition, a national register will be kept on all child abusers. These are overdue steps to protect our vulnerable children and young adults.

PRESIDENT ARISTIDE THE PEOPLE'S CHOICE IN HAITI

(Mr. OWENS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OWENS. Mr. Speaker, we need a more clearly enunciated U.S. foreign policy for the Western Hemisphere. Support for democracy, human rights, and free market economic development must be among the foundation components of this updated foreign policy.

In Haiti, the elected leader most capable of promoting democracy, human rights, and free market economic development is President Jean-Bertrand Aristide. To implement a more meaningful and more moral foreign policy in Haiti, we must firmly support the speedy return of President Aristide. Congress must reject the obsolete, misguided Aristide character assassination campaign of the big-spending, incompetent CIA which failed to predict the fall of the Soviet economy.

By 70 percent of the vote, Aristide is the people's choice. This leader speaks eight languages, and has studied in universities and seminaries all over the world. Haiti is fortunate to have President Jean-Bertrand Aristide.

It is in the vital interest of the United States to support the return of President Aristide.

DRUG STRATEGY LACKS SUBSTANCE

(Mr. OXLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OXLEY. Mr. Speaker, the White House is once again sending the message that it is not serious about drugs. Last week, the Office of National Drug Control Policy released its long-awaited interim national drug control strategy. Disappointment in the plan was universal. The document is utterly devoid of substance, particularly regarding specifics on program funding. There is a lot of rhetoric about shifting resources from law enforcement to treatment and education, but no discussion whatsoever of budget recommendations.

Frankly, Mr. Speaker, I find it difficult to fault Drug Czar Lee Brown for this strategy, because this is exactly what you would expect from an office that had its staffing slashed from 112 to 25 people, as the administration did. It is obvious that the President has as-

signed this issue the lowest possible priority.

When Lee Brown was appointed, there was a lot of ballyhoo about President Clinton giving the drug czar full Cabinet-level status. Well I'm sorry, Mr. Speaker, but this is not a Cabinet-level effort. Not by a long shot.

CANADIAN ELECTION PRESENTS OPPORTUNITY TO RENEGOTIATE NAFTA

(Mr. LEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, the Liberal Party's victory in Canada and its desire to renegotiate certain parts of the North American Free-Trade Agreement should be considered more of an opportunity than a threat.

The United States should use this opportunity to address the basic economic flaws in NAFTA.

During the last decade the Mexican Government has followed a deliberate policy of suppressing wages and salaries to attract basic investment, especially in industry but also in agriculture. This rigidly enforced policy has worked—as seen in the creation of 600,000 white- and blue-collar jobs in 2,000 maquiladora plants, financed primarily by U.S. investment.

NAFTA as presently constructed fails to address this basic dynamic. Indeed, rather than altering this Mexican strategy, NAFTA legitimizes it and will lead to its expansion.

It is time to face rather than ignore or dodge the basic economic issue embodied in the present NAFTA. The failure to confront it is the major reason why NAFTA is in such deep trouble in the United States and Congress.

The United States should not react to the Canadian election in a way that forecloses further efforts that could lead to a NAFTA that is truly in the best interests of the United States.

WHY THE DELAY ON REFORM?

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Mr. Speaker, when it comes to matters of reform, the Democrat leadership in this body has adopted a strategy of delay, delay, delay.

Congressional reform? It's been delayed.

PAC reform? Delayed.

Lobbying reform? Delayed.

What is the holdup. I ask my friends. Could it be that reform might very well alter the status quo that has enabled one-party rule in this Chamber for the last 40 years?

Could it be that if reform is postponed and postponed and postponed again, we might just forget about it and go home?

Mr. Speaker, we were told recently that "Reform Week" will probably come sometime in November. Let's hope so. In poll after poll, the American people are saying that they have little faith in Congress' ability to police itself. Let's give them a little surprise for Thanksgiving. Let us show them that the "People's Body" sometimes listens to the people it represents. Let us adopt a comprehensive congressional reform package now.

MORE ENTITLEMENTS

(Mr. BAKER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BAKER of California. Mr. Speaker, Sunday's Washington Post had an interesting page story: "Health Care Costs a Long-Term Headache: Economist Fear New Entitlements Would Become a Budget Buster."

This headline refers to the President's health care plan.

According to the Story: "Behind President Clinton's promise of 'health security' lies what many economists view as a darker reality; the administration is proposing to establish a sweeping new category of entitlements, despite broad agreement among experts that such programs are at the root of America's budget problems."

Real health care reform is occurring in the private sector: more patient decisionmaking, medical IRA's, rebates for health habits and reduced usage, and new medicines and procedures make American health care the best in the world. But the Clinton health care plan calls for more bureaucracy Government control while patients would be denied their current health care plan.

Mr. Speaker, creating new entitlements is the worst way to cure our deficit, as this story rightly concludes.

□ 1240

STARS IN MY CROWN

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, I saw a great movie this weekend. It starred Joel McCrea. It was called "Stars In My Crown" after an old spiritual song. It was a movie about a minister, about right and wrong, about morals, and it was very inspiring.

Contrast that with today. Movies are either immoral or amoral. They are violent, pornographic, and if they make any reference to God or religion at all, it is usually negative.

Our country is in trouble. Crime is up. Violence is up. Pornography is up. We have lost our moral underpinnings.

Throughout history when a country became immoral and ignored God, they

suffered greatly and we shall be no exception.

Let us try to lead back to this model behind me, "In God We Trust."

NAFTA AND THE U.S. AUTO INDUSTRY

(Mr. KNOLLENBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KNOLLENBERG. Mr. Speaker, I rise today to give you an example of how the North American Free-Trade Agreement will help keep high paying manufacturing jobs in the United States.

The Chrysler Corp. will soon introduce its Neon subcompact car in North America. The company plans on selling 300,000 Neons in America next year and 75,000 in Mexico. While the main Neon plant is located in Illinois, Mexico's rules have forced Chrysler to build an additional plant in Mexico to produce those 75,000 cars destined for the Mexican market.

As Chrysler president Bob Lutz stated recently, "If we had NAFTA, we would not have had the expense of putting in the Mexican facility."

Let us allow Chrysler to keep U.S. auto production jobs here at home. Let us provide jobs for the most productive work force in the world—the American worker. Let us pass NAFTA. Let us do what is best for America.

REJECT GRIDLOCK AND GET ON WITH CONGRESSIONAL REFORM

(Mr. GOODLATTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Speaker, before I was elected, the Congress created the Joint Committee on the Organization of Congress by an overwhelming vote. I know that a majority of this House hopes the joint committee will bring forward meaningful congressional reform.

When the committee was formed, it was understood that the House alone would address matters related to our body and that the other body would do the same.

Yet, at this late date, a few Members on the other side of the aisle in this House have decided to link changes in the way the other body conducts its business to any attempt to resolve the longstanding problems of this House. And it is ironic that their target is the Chamber which provides for nearly unlimited debate while the Members of this House are told when they can debate, for how long, and even whether they can offer amendments.

It is clear to me what is going on. A handful of people opposed to reform are attempting to throw up any roadblock they can out of fear that the joint com-

mittee might actually do something. We should reject their attempt at gridlock and get on with reform.

CONGRESSIONAL REFORM OR CONGRESSIONAL INERTIA

(Mr. ALLARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLARD. Mr. Speaker, there is a huge expectation for Congress to adopt strong reform measures. If you page through the countless surveys, articles, editorials, and constituent letters concerning congressional reform, they all echo a theme. That theme is "now is the best opportunity we have to make Congress more effective and responsive."

As a member of the Joint Committee on the Organization of Congress, I am particularly aware of the pressure from constituents and Members of Congress to promote really meaningful reforms. We have the most reform minded Congress in history, thanks to the strong interest fed by both the freshman and sophomore classes. They aren't the only Members of Congress who are asking for reform.

Ninety percent of the Members who answered a Joint Committee on the Organization of Congress survey, agreed that Congress needs major procedural and organizational improvements. As Members who have all been frustrated from time to time with our work, we are all well aware of areas that need change. Congress has a unique opportunity to do this important work if it adopts strong, true, and meaningful reforms.

However, I am worried that even with good conditions and interest in congressional reform, congressional inertia will result in only minor or cosmetic changes. Most Members are sincere when they say they want to adopt serious reforms. I hope this sincerity prevails over the politics which have strangled meaningful reform efforts in the past.

LESSONS OF POP JORDAN'S DEATH

(Mr. BARTLETT of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Speaker, speaking of reform, the country is now debating a crime bill. In this regard, I am reminded of the death of Pop Jordan, along that roadside spot in Robeson County, NC.

Both of the young thugs who were responsible, most likely, for his death had long criminal records. These two thugs are illustrative of the fact that in many jurisdictions 75 percent of all crimes are committed by those who have previously committed crime.

It is very obvious that by one very simple mechanism, just by not letting unrehabilitated criminals back out on the streets, we could reduce crime by 75 percent.

All the initiatives in the President's crime package will come nowhere close to reducing crime by 75 percent.

Why can we not do this one simple, obvious thing? Do not let unrehabilitated criminals back on the streets, and we will reduce crime by 75 percent.

Mr. Speaker, I hope the President is listening.

POTENTIAL ENVIRONMENTAL DEVASTATION BY DECADES OF SOVIET NUCLEAR DUMPING

(Mr. WELDON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELDON, Mr. Speaker, we are only now beginning to realize the potential environmental devastation caused by decades of Soviet nuclear dumping. If something is not done soon, the Arctic Circle and our oceans could become radioactive wastelands by the turn of the century.

Let me set things in perspective. The Three Mile Island nuclear accident in my home State entered a total of 15 curies of radioactivity. The Soviet Union has now admitted formally that they have dumped 2.5 million curies of radioactive waste in our oceans, and currently have over 10 million curies of radioactive waste stored in the Murmansk Harbor.

As the ranking member of the Subcommittee on Oceanography of the Committee on Merchant Marine and Fisheries, I requested a hearing on this issue last month, and there is even more disturbing news, Mr. Speaker.

Radiation from the Chelyabinsk and Mayak military installations in the southern Urals totalling twice the radiation released at Chernobyl has accumulated into Lake Karachai, and radiation from plants along the Ob River threaten to run off into the Arctic.

We must address this issue with President Yeltsin, and address it now. Whatever the outcome, we must start now. This problem can wait no longer.

□ 1250

THE ELECTION OF JEAN CHRETIEN: A POSITIVE OUTCOME FOR THOSE WHO SUPPORT NAFTA

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER, Mr. Speaker, contrary to reports that we have received this morning, the election of Jean Chretien and his Liberal Party, in Canada actually is a positive outcome for those of

us who support the North American Free-Trade Agreement. Yes, Mr. Chretien has some concerns about the NAFTA, but they are not unlike those that were voiced by President Clinton during his campaign. Yes, he wants to make some modifications, but Jean Chretien does not oppose the North American Free-Trade Agreement. The NDP Party, which has opposed NAFTA, took a sound beating in the polls. They went from 43 seats down to 8 seats in the election. That should be a message for those in the Congress who oppose NAFTA.

I believe that we can work this out in a way which will be positive for Canada, United States, and Mexico.

BEFORE WE TRY TO ELIMINATE THE FILIBUSTER, LET'S END CLOSED RULES

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS, Mr. Speaker, there is an effort in this House to change the procedures of the other body the Senate as the first priority of congressional reform. Advocates of this position state that the majority should always rule.

Well, if those who are leading the effort to eliminate the filibuster in the other body are serious about majority rule, I call on them today to go to their own leadership and call for an end to closed rules—the greatest barrier to majority rule in this House. One cannot have the majority rule if they cannot even vote.

Closed rules prevent honest debate, and, while they are at it, maybe they could also ask the leadership for fair representation for the minority on the Rules Committee and proportional representation and funding for the minority on all committees.

There is an old saying, "physician heal thyself." Well, in this House, I hope that these senior, influential members of the majority can refocus their efforts on bringing fairness and majority rule to their own House of Representatives.

REINVENTING GOVERNMENT

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Michigan, Mr. Speaker, I rise today with guarded optimism that Republicans and Democrats can work together in the reinventing Government effort that was announced by the White House.

As a cochair of the bipartisan freshman task force on procurement, I am disappointed that the President has backed away from his proposal to allow Davis-Bacon waivers and similar modifi-

cations in the Service Contracting Act. I am disappointed that cost savings from personnel reductions and other changes are not real, and the lobbyists who have gotten some of the costly special interest garbage into our Federal laws are still being successful in protecting their special interests.

There are 142,000 Government employees who work in the area of Government procurement purchasing \$200 billion of goods and services every year. Incorporated in 4,500 pages of Government regulations are many special interest provisions that have resulted in billions of dollars of increased costs.

Mr. Speaker, I ask my colleagues, the President, and the Vice President to work to reinvent Government in such a way so that the taxpayer is the most important special interest.

NAFTA IS GOOD FOR AMERICA

(Mr. ROHRBACHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHRBACHER, Mr. Speaker, I want to salute those of my colleagues, especially my Democrat colleagues, and that will be rarely heard from me, on the courage that they have been showing in opposing the hysteria that has been spread by the opponents of NAFTA, and it takes a lot of courage for those people on the Democrat side of the aisle to stand up for truth against the lies that have been told about NAFTA.

What do we know about NAFTA? The North American Free-Trade Agreement does two things: It lowers the tariffs; this is all it does. It lowers the tariffs, hopefully ending the tariffs, eliminating them, over a period of time. Our goods are taxed by the Mexicans at 10 percent. Their goods are taxed by us as they come in by 4 percent. We get a 2½ times benefit for that. And the other thing NAFTA does is cut the regulations so that our businessmen that do business down there cannot face any more regulations than they placed on their own businessmen, and their Mexican businessmen cannot have more regulations placed on them than we place on our own businessmen.

Mr. Speaker, it is a plus for us because we do not regulate their businessmen more than we regulate our own. It is a plus for us because we get 2½ times the benefit in terms of lowering the tariffs.

NAFTA is good for America. It is going to create jobs here.

REQUEST FOR CONSIDERATION OF SENATE CONCURRENT RESOLUTION 48, CORRECTING TECHNICAL ERRORS IN ENROLLMENT OF H.R. 2403, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1994

Mr. HOYER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 48) to correct technical errors in the enrollment of the bill (H.R. 2403), and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). Is there objection to the request of the gentleman from Maryland?

Mr. SMITH of New Jersey. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

FURTHER CONFERENCE REPORT ON H.R. 2445, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1994

Mr. BEVILL. Mr. Speaker, pursuant to the unanimous consent agreement of today, October 26, 1993, I call up the further conference report on the bill (H.R. 2445) making appropriations for energy and water development for the fiscal year ending September 30, 1994, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the order of the House of today, October 26, 1993, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House Friday, October 22, 1993, at page H8364.)

The SPEAKER pro tempore. The gentleman from Alabama [Mr. BEVILL] will be recognized for 30 minutes and the gentleman from Indiana [Mr. MYERS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Alabama [Mr. BEVILL].

GENERAL LEAVE

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks on the conference report on H.R. 2445, as well as the Senate amendments in disagreement thereto, and that I may include extraneous material and tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BEVILL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to once again present the conference report on the fiscal year 1994 energy and water development appropriations bill for your favorable consideration.

Mr. Speaker, our colleagues may recall that the House considered the conference report on this bill on Tuesday, October 19, at which time it was recommitted with instructions to conference. The conference committee met again on Thursday, October 21, to consider the instructions of the House. The conference agreement we bring to the House floor today reflects the concerns expressed by the House. The conference report was filed in the House on October 22.

Mr. Speaker, the House action was a clear signal of the strong desire for termination of the superconducting super collider. The conference agreement before the House includes \$640 million for termination costs for the superconducting super collider. The conferees have agreed to an orderly termination of the project and have asked the Secretary of Energy to prepare a plan to maximize the value of the investment to date and the current assets. The total costs for termination are not fully known at this time, and it is possible that some funding will be necessary in future years to complete termination of the project.

Mr. Speaker, with the exception of the termination of the superconducting super collider, there are no changes in the conference agreement we bring to the House floor today from the conference agreement which was presented earlier. The conference agreement is \$26,064,000 below the subcommittee's 602(b) allocation for budget authority, and \$130,664,000 below the President's budget request.

Mr. Speaker, amendment No. 33 and the statement of the managers have

been revised to reflect the change in the superconducting super collider. In addition, language was included directing the Department of Energy to submit to the Congress a report concerning plans for other large science projects within the jurisdiction of the Department of Energy, including recommendations as to whether these projects should continue to be pursued, and how they should be funded and financed.

Mr. Speaker, as I indicated in my opening remarks, the conference is at our 602(b) allocation for outlays and \$26 million below our allocation for budget authority. Our bill has been scored by the Congressional Budget Office and these are their numbers.

The conference report on page 132 shows a total of \$22,215,382,000 for budget authority. However, in order to be consistent with the budget resolution, which is the basis for the 602(b) allocations, a number of adjustments to the bill are required. These adjustments, which are determined by CBO, are minus \$224,446,000. Therefore, for comparison with our 602(b) allocation, CBO scores our bill at \$21,990,936,000 which is \$26,064,000 below our 602(b) allocation.

Mr. Speaker, I strongly urge the Members to support the hard work of my subcommittee and pass the conference report and amendments which will be presented to the House.

I would like to call the Members' attention to several minor printing errors in the conference report printed in the October 22, 1993, CONGRESSIONAL RECORD:

On page H8364, column two, first line, insert "disagreement to the" after "its".

On page H8365, column three, insert "Lake" after "Old Hickory".

On page H8366, column two, the amount provided for the Anacostia River, Maryland and District of Columbia, should be \$700,000" instead of "\$7,000,000".

On page H8402, column two, insert "Unit" after "Garrison Diversion".

Mr. Speaker, at this point I would like to insert a table in the RECORD which summarizes the financial aspects of the conference agreement.

Mr. Speaker, I reserve the balance of my time.

FY 1994 ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL (H.R. 2445)

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF DEFENSE - CIVIL						
DEPARTMENT OF THE ARMY						
Corps of Engineers - Civil						
General investigations.....	175,780,000	157,800,000	207,540,000	208,544,000	207,540,000	+ 31,760,000
Construction, general.....	1,360,503,000	1,208,237,000	1,389,138,000	1,441,167,000	1,400,875,000	+ 40,372,000
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee.....	351,182,000	343,000,000	352,475,000	348,875,000	348,875,000	-2,307,000
Operation and maintenance, general.....	1,596,868,000	1,857,700,000	1,891,350,000	1,873,704,000	1,888,990,000	+ 92,322,000
Regulatory program.....	86,000,000	92,000,000	92,000,000	92,000,000	92,000,000	+ 6,000,000
Flood control and coastal emergencies.....	190,000,000	20,000,000	20,000,000	20,000,000	20,000,000	-170,000,000
General expenses.....	142,000,000	148,500,000	148,500,000	148,500,000	148,500,000	+ 6,500,000
Oil spill research.....		350,000	350,000	350,000	350,000	+ 350,000
Total, title I, Department of Defense - Civil.....	3,902,133,000	3,625,387,000	3,901,353,000	3,933,140,000	3,907,130,000	+ 4,997,000
TITLE II - DEPARTMENT OF THE INTERIOR						
Bureau of Reclamation						
General investigations.....	12,540,000	12,714,000	13,109,000	14,409,000	13,819,000	+ 1,279,000
Construction program.....	470,568,000	431,848,000	484,423,000	480,898,000	484,423,000	-6,145,000
Operation and maintenance.....	274,760,000	282,898,000	282,898,000	282,898,000	282,898,000	+ 8,138,000
Loan program.....	4,102,000	5,800,000	12,163,000	13,500,000	13,500,000	+ 9,398,000
(Limitation on direct loans).....	(8,000,000)	(11,636,000)	(18,728,000)	(21,000,000)	(21,000,000)	(+ 13,000,000)
General administrative expenses.....	53,745,000	54,034,000	54,034,000	54,034,000	54,034,000	+ 289,000
Emergency fund.....	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	
Colorado River Dam fund (by transfer, permanent authority).....	(-6,563,000)	(-7,168,000)	(-7,168,000)	(-7,168,000)	(-7,168,000)	(-605,000)
Central Utah project completion account.....		21,000,000	25,770,000	25,770,000	25,770,000	+ 25,770,000
Utah reclamation mitigation and conservation account.....		9,850,000	9,850,000	9,850,000	9,850,000	+ 9,850,000
Central Valley project restoration fund.....		34,000,000	45,000,000	45,000,000	45,000,000	+ 45,000,000
Total, title II, Department of the Interior.....	816,715,000	853,144,000	908,247,000	907,359,000	910,294,000	+ 93,579,000
(By transfer).....	(-6,563,000)	(-7,168,000)	(-7,168,000)	(-7,168,000)	(-7,168,000)	(-605,000)
TITLE III - DEPARTMENT OF ENERGY						
Energy Supply, Research and Development Activities:						
Operating expenses.....	2,527,287,000	2,702,102,000	2,731,484,000	2,818,216,000	2,802,840,000	+ 275,553,000
Plant and capital equipment.....	488,508,000	454,070,000	436,170,000	431,070,000	421,070,000	-67,436,000
Total.....	3,015,793,000	3,156,172,000	3,167,634,000	3,249,286,000	3,223,910,000	+ 208,117,000
Uranium Supply and Enrichment Activities:						
Operating expenses.....	1,202,457,000	246,992,000	160,000,000	246,992,000	246,992,000	-955,465,000
Plant and capital equipment.....	83,863,000	100,000		100,000	100,000	-83,763,000
Subtotal.....	1,286,320,000	247,092,000	160,000,000	247,092,000	247,092,000	-1,039,228,000
Gross revenues.....	-1,462,000,000	-70,000,000		-70,000,000	-70,000,000	+ 1,392,000,000
Net appropriation.....	-175,680,000	177,092,000	160,000,000	177,092,000	177,092,000	+ 352,772,000
Uranium enrichment decontamination and decommissioning fund						
		286,320,000	286,320,000	286,320,000	286,320,000	+ 286,320,000
General Science and Research Activities:						
Operating expenses.....	726,162,000	781,264,000	719,785,000	835,187,000	1,329,785,000	+ 603,623,000
Plant and capital equipment.....	691,622,000	804,927,000	474,329,000	779,927,000	285,329,000	-406,293,000
Total.....	1,417,784,000	1,586,191,000	1,194,114,000	1,615,114,000	1,615,114,000	+ 197,330,000
Nuclear Waste Disposal Fund.....	275,071,000	258,028,000	260,000,000	260,000,000	260,000,000	-15,071,000
Isotope production and distribution fund.....	5,000,000	3,866,000	3,910,000	3,910,000	3,910,000	-1,090,000
Environmental Restoration and Waste Management:						
Defense function.....	(4,831,547,000)	(5,428,112,000)	(5,185,877,000)	(5,106,855,000)	(5,181,855,000)	(+ 350,308,000)
Non-defense function.....	(709,894,000)	(1,003,798,000)	(1,003,798,000)	(1,003,798,000)	(1,003,798,000)	(+ 294,104,000)
Total.....	(5,541,241,000)	(6,431,910,000)	(6,189,675,000)	(6,110,653,000)	(6,185,653,000)	(+ 644,412,000)
Atomic Energy Defense Activities						
Weapons Activities:						
Operating expenses.....	4,010,209,000	3,350,648,000	3,244,856,000	3,248,930,000	3,248,656,000	-761,553,000
Plant and capital equipment.....	558,540,000	358,852,000	327,542,000	348,552,000	346,542,000	-211,998,000
Total.....	4,568,749,000	3,709,300,000	3,572,198,000	3,597,482,000	3,595,198,000	-973,551,000
Defense Environmental Restoration & Waste Management:						
Operating expenses.....	4,074,490,000	4,767,513,000	4,465,613,000	4,537,278,000	4,552,278,000	+ 477,788,000
Plant and capital equipment.....	757,057,000	860,599,000	720,264,000	589,577,000	629,577,000	-127,480,000
Total.....	4,831,547,000	5,428,112,000	5,185,877,000	5,106,855,000	5,181,855,000	+ 350,308,000

FY 1994 ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL (H.R. 2445), continued

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Materials Support and Other Defense Programs:						
Operating expenses	2,227,802,000	1,808,970,000	1,729,283,000	1,854,248,000	1,854,248,000	-573,356,000
Plant and capital equipment	390,727,000	338,278,000	317,309,000	309,509,000	309,509,000	-81,218,000
Total	2,618,529,000	2,147,248,000	2,046,592,000	1,963,757,000	1,963,757,000	-654,574,000
Defense Nuclear Waste Disposal	100,000,000	119,742,000	120,000,000	120,000,000	120,000,000	+ 20,000,000
Total, Atomic Energy Defense Activities	12,118,825,000	11,402,402,000	10,924,867,000	10,788,082,000	10,880,808,000	-1,257,817,000
Departmental Administration:						
Operating expenses	397,878,000	405,922,000	393,458,000	393,458,000	393,458,000	-4,418,000
Plant and capital equipment	7,780,000	8,561,000	7,780,000	7,780,000	7,780,000	
Subtotal	405,658,000	414,483,000	401,238,000	401,238,000	401,238,000	-4,418,000
Miscellaneous revenues	-318,381,000	-239,209,000	-239,209,000	-239,209,000	-239,209,000	+ 79,172,000
Net appropriation	87,277,000	175,274,000	162,029,000	162,029,000	162,029,000	+ 74,754,000
Office of the Inspector General	30,362,000	31,757,000	31,757,000	30,362,000	30,362,000	
Power Marketing Administrations						
Operation and maintenance, Alaska Power Administration	3,577,000	4,010,000	4,010,000	4,010,000	4,010,000	+ 433,000
Operation and maintenance, Southeastern Power Administration	32,411,000	29,742,000	29,742,000	29,742,000	29,742,000	-2,669,000
Operation and maintenance, Southwestern Power Administration	21,907,000	33,587,000	33,587,000	33,587,000	33,587,000	+ 11,680,000
Construction, rehabilitation, operation and maintenance, Western Area Power Administration	326,834,000	352,956,000	292,956,000	277,956,000	277,956,000	-48,678,000
(By transfer, permanent authority)	(8,563,000)	(7,168,000)	(7,168,000)	(7,168,000)	(7,168,000)	(+ 605,000)
Total, Power Marketing Administrations	384,529,000	420,295,000	360,295,000	345,295,000	345,295,000	-39,234,000
Federal Energy Regulatory Commission						
Salaries and expenses	158,639,000	165,375,000	165,375,000	165,375,000	165,375,000	+ 6,736,000
Revenues Applied	-158,639,000	-165,375,000	-165,375,000	-165,375,000	-165,375,000	-6,736,000
Total, title III, Department of Energy	17,158,758,000	17,497,397,000	16,550,726,000	16,917,500,000	16,964,840,000	-193,919,000
(By transfer)	(8,563,000)	(7,168,000)	(7,168,000)	(7,168,000)	(7,168,000)	(+ 605,000)
TITLE IV - INDEPENDENT AGENCIES						
Appalachian Regional Commission	190,000,000	189,000,000	189,000,000	249,000,000	249,000,000	+ 59,000,000
Defense Nuclear Facilities Safety Board	13,000,000	15,060,000	15,060,000	18,060,000	18,560,000	+ 3,560,000
Delaware River Basin Commission:						
Salaries and expenses	325,000	333,000	333,000	333,000	333,000	+ 8,000
Contribution to Delaware River Basin Commission	475,000	488,000	488,000	488,000	488,000	+ 13,000
Total	800,000	821,000	821,000	821,000	821,000	+ 21,000
Interstate Commission on the Potomac River Basin:						
Contribution to Interstate Commission on the Potomac River Basin	485,000	498,000	498,000	498,000	498,000	+ 13,000
Nuclear Regulatory Commission:						
Salaries and expenses	535,415,000	542,900,000	542,900,000	542,900,000	542,900,000	+ 7,485,000
Revenues	-514,315,000	-520,900,000	-520,900,000	-520,900,000	-520,900,000	-6,585,000
Subtotal	21,100,000	22,000,000	22,000,000	22,000,000	22,000,000	+ 900,000
Office of Inspector General	4,585,000	4,800,000	4,800,000	4,800,000	4,800,000	+ 215,000
Revenues	-4,585,000	-4,800,000	-4,800,000	-4,800,000	-4,800,000	-215,000
Subtotal						
Total	21,100,000	22,000,000	22,000,000	22,000,000	22,000,000	+ 900,000
Susquehanna River Basin Commission:						
Salaries and expenses	301,000	308,000	308,000	308,000	308,000	+ 7,000
Contribution to Susquehanna River Basin Commission	290,000	298,000	298,000	298,000	298,000	+ 8,000
Total	591,000	606,000	606,000	606,000	606,000	+ 15,000

FY 1994 ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL (H.R. 2445), continued

	FY 1993 Enacted	FY 1994 Estimate	House	Senate	Conference	Conference compared with enacted
Tennessee Valley Authority: Tennessee Valley Authority Fund	135,000,000	138,973,000	138,973,000	140,473,000	140,473,000	+ 5,473,000
Nuclear Waste Technical Review Board	2,090,000	2,180,000	2,180,000	2,180,000	2,180,000	+ 100,000
Office of the Nuclear Waste Negotiator		1,000,000	1,000,000	1,000,000	1,000,000	+ 1,000,000
Total, title IV, independent agencies	363,036,000	370,118,000	370,118,000	434,618,000	433,118,000	+ 70,082,000
Scorekeeping adjustments	-161,096,000	-222,448,000	-224,446,000	-224,446,000	-224,446,000	-63,350,000
Grand total:						
New budget (obligational) authority	22,079,547,000	22,123,800,000	21,505,968,000	21,968,171,000	21,990,936,000	-88,611,000
(By transfer)						

□ 1300

Mr. MYERS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, your conferees bring back a conference report which is the best that could be made of a bad situation. Our chairman has presented what is in the conference, little changed from the House position, except for some authorizing language which was necessary to terminate the superconducting super collider. The chairman has already adequately explained this.

Mr. Speaker, I think the big difference here is that no one can tell just exactly how much the termination is finally going to cost, because it is impossible today for anyone to make that prediction. We know because of action last year and two votes this year that the House is overwhelmingly opposed to the superconducting super collider. Your conference recognized this, and we agreed with the Senate that we would terminate it. We do provide for some things that will be discussed later in Senate amendment 33.

Mr. Speaker, first, we authorize the Secretary to move forward toward termination. But pending that, the Secretary shall report back to the committee of any progress made and what some of the estimates are in cost. We recognize not only do we have to close down the present operation in Texas, and we do not know for sure what that will cost, but we have contracts that must be liquidated and contractors that must be paid off. We know the State of Texas has some claim on this. We are going to have to repay the State of Texas some figure. We know we have site restoration. We have 20 percent of the tunnel already dug. We have to take some action on this.

Mr. Speaker, we do have the \$640 million provided in the House bill and it provides that the Secretary shall use that for termination, whatever the termination costs are.

The Secretary also by July 1 of next year is to report back to the Congress on any possibility there might be for someone else to operate this or to try to recapture as much of the taxpayer investment as we possibly can.

Mr. Speaker, this conference report, as I mentioned earlier, is the best we could come up with. No one can tell just exactly what the termination costs will be. We do know from all indications, and the Secretary will be reporting back as soon as possible what the estimates are for termination, but it may be years before we know what the cost is of termination. In any event, we know the taxpayers are losing an awful lot of money. It was a bad investment. They are going to probably make a prediction that it will cost pretty much half as much to terminate this program as it would to complete it, and we would have had something to show for it.

Mr. Speaker, nevertheless, it has been the wish of the House that we do this, and your conferees have done it. It has made the best of a bad situation.

Mr. Speaker, I reserve the balance of my time.

Mr. BEVILL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. FROST].

Mr. FROST. Mr. Speaker, today the House is making what I believe is a serious mistake in terminating the superconducting super collider. By our action we are striking a critical blow to high energy physics, to investment in science, and to our Nation's future as a leader in science.

For years, we have moved forward aggressively in exploring the unknown and pushing against the outer limits of knowledge. Our efforts have been rewarded as we have made tremendous gains in medicine, computers, communications, and advanced materials that have benefited all mankind.

Unfortunately, we have lost our nerve, and we will all be poorer because of this unwise decision by the House. It is, indeed, a sad day for science, a sad day for the United States.

But the decision, as wrong as it is, has been made, and we must move on.

Mr. Speaker, approximately \$2 billion has been invested in the SSC to date. State-of-the-art laboratories and related facilities have been built. An extraordinary team of talented scientists and engineers have been brought together.

This conference report directs the Secretary of Energy to submit a report to Congress with a plan to maximize the value of this investment. It also directs the Secretary to make recommendations on ways to best utilize SSC assets and to determine the feasibility of pursuing an international high energy physics endeavor.

I pledge to work with the Secretary and the State of Texas on protecting the investment that's been made and on finding alternative uses for the people, buildings, and equipment now in place.

Hopefully, we can find a way to minimize the damage to science and to the future of our Nation's competitiveness that will result from the House decision today.

Mr. MYERS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, first of all I would like to say to the chairman and ranking Republican that they have done a good job in bringing this in below fiscal year 1993. I believe it is about \$25.2 million below last year. It is \$131 million below the request of the President. It is, however, above the House-passed bill, and slightly above the Senate-passed bill. Therefore, there are some places in this bill where we could make some economies.

For instance, the conference agreement contains \$3.9 billion for the Army Corps of Engineers. This is approximately \$5.7 million above the House bill. But it is \$240 million, or almost 7 percent, above last year's appropriation for the Corps of Engineers.

Mr. Speaker, \$240 million is a lot of money. I proposed an amendment when the bill was before the House that would cut the rate of growth for the Army Corps of Engineers to no more than the rate of inflation, which was then about 3.2 percent. That would have saved \$17 million.

So I believe there can be some economies, and that we should cut where we can, especially in view of the huge budget deficits we have been having and will be having in the foreseeable future.

In addition to that, I have a couple of questions which I will address to my colleagues when we get into the amendments in technical disagreement.

Mr. Speaker, overall I think the committee did an outstanding job. However, there are some ways to save some additional moneys, and I will be getting a vote on that to point out to my colleagues where we could save another couple hundred million dollars if we choose to do so.

Mr. BEVILL. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. SHARP].

Mr. SHARP. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, the distinguished chairman of the subcommittee and his fellow members have an incredible task each year to try to keep us within fiscal restraint and to meet the enormous priorities that we have in this country on energy and water issues, and I applaud them in that effort.

Mr. Speaker, I have a dispute, obviously, with one of the proposals that is in the legislation before us, and that is the advanced liquid metal reactor. We in the House of Representatives voted in June 272 to 146 to terminate this program based on the fact that a number of studies have shown that it is highly improbable to ever be economically viable as a source of generating electricity, and, second, it raises dangers of nuclear proliferation, that is, the plutonium which is at the core of this reactor, unlike other reactors that we use in our society today. Indeed, I believe it falls afoul of the basic American antinuclear proliferation efforts around the world which are now being intensified because of a variety of countries trying to go forward.

□ 1310

Mr. Speaker, I think it is imperative that we continue the battle to try to bring this program to an end, to save money, and to eliminate those risks on proliferation.

The fact is, the administration urged that we cut it back in Congress. The

House of Representatives voted to eliminate it all together. The Senate, unfortunately, added not only all the money back but it will spend more, not only than what the administration requested but more than was spent last year.

We are going forward in this legislation, as we should, with advanced nuclear technologies, and there are five other reactors besides the one I am focusing on to go forward.

I realize that for this year and for this piece of legislation, which has been through an enormous turmoil, that we are not going to succeed at this time. But I do want to indicate that many of us are fighting to get this a part of the rescission bill, and we will continue the pressures at the various points in the budgetary process.

Mr. MYERS of Indiana. Mr. Speaker, I yield 3 minutes to the gentleman from New Mexico [Mr. SKEEN], a valued member of the Committee on Appropriations.

Mr. SKEEN. Mr. Speaker, I thank the gentleman for yielding time to me. Mr. Speaker, I would like to express my gratitude to Chairman BEVILL, Mr. MYERS, and staff for working with me and the rest of the New Mexico congressional delegation on some issues very important to our State.

Incorporated in this conference report is bill language dealing with the monitored retrievable storage [MRS] program which I have sought for the last couple of years. As the chairman and ranking member are aware, I have been following closely the developments regarding the Mescalero Apache Tribe's application for Federal funding toward siting a MRS facility on its reservation.

I have tried to refrain from interfering with the Mescalero's right to study the issue. However, since the Mescaleros received over \$300,000 2 years ago, they have not received any support from the congressional delegation, the Governor, and city, and county officials for this contentious program.

This lack of consensus and the enormous public opposition to this plan makes it important that Congress prohibit phase II-B grants to study the feasibility of siting a monitored retrievable storage [MRS]. This bill language is similar to the report language included in this year's House passed report to accompany the fiscal year 1994 Energy and Water appropriations bill. This language is important to prevent the further waste of taxpayer money.

Mr. Speaker, on another issue, I would like to have a colloquy with the gentleman from Alabama [Mr. BEVILL], if he would.

DOE has just announced that it is no longer going to pursue conducting radioactive tests at WIPP, in Carlsbad, NM. This is a 180-degree turn by the DOE which could have great ramifications

for our country's nuclear waste situation.

I hope that this decision was not made in order to satisfy those interest groups which have opposed the opening of WIPP since its inception. It took over 6 years to finally pass a legislative land withdrawal through Congress, and now the heart of that hard fought agreement has been taken out. In fact, most of the debate centered around how to implement WIPP's test phase. Therefore, we deserve some detailed answers about why DOE now believes we can do these tests above ground at our national labs, and about where we go from here. This DOE decision was made recently without a congressional hearing.

Will his committee be reviewing the situation during the hearings on the fiscal year 1995 budget and will your committee work with me on evaluating this new policy and its impact on New Mexico?

Mr. BEVILL. Mr. Speaker, will the gentleman yield?

Mr. SKEEN. I yield to the gentleman from Alabama.

Mr. BEVILL. Mr. Speaker, the answer is "Yes." We will be glad to work with the gentleman on this matter.

Mr. SKEEN. Mr. Speaker, I certainly do appreciate that from the chairman.

Mr. BEVILL. I reserve the balance of my time.

Mr. MYERS of Indiana. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Speaker, I rise to express my concern about the termination costs for the superconducting super collider contained in the conference report.

As has been previously explained, the \$640 million appropriated for construction of the SSC has now been changed to pay for termination costs.

I certainly support canceling the SSC and recognize that termination costs are in order when a project of this magnitude is canceled by the Government. However, the \$640 million seems to be somewhat at variance to the figures that have been submitted by the Energy Department.

On January 14, 1993, then Secretary of Energy James Watkins submitted an estimate of the cost of the SSC shutdown at \$278,100,000. On October 20, 1993, the termination costs for the SSC had grown by an estimate of the Department of Energy Legislative Affairs shop to \$1,171,000,000. Of this latter figure, \$625 million was for what was labeled as claims in litigation potential for employees, contractors, the State of Texas, and county and local governments.

I would remind my colleagues, Mr. Speaker, that in 1990, when the House debated an SSC authorization bill, by a 93-vote margin the House struck an indemnification provision for the State of Texas which would have indemnified

that State should Congress cancel the SSC.

I would hope that the \$640 million that are labeled for termination costs is a high estimate in the conference committee report, that it can be done closer to the January 1993 figure of \$278,100,000 and that the will of the House that no money be spent for indemnification of the State of Texas and county and local governments, who shared the risks of the SSC when they made the bid, be paid.

Mr. BEVILL. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. FAZIO], the ranking majority member of this subcommittee.

Mr. FAZIO. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of the conference report on H.R. 2445.

Mr. Speaker, this conference report represents the balanced approach we need to meet the energy, water, and scientific challenges of the next century.

The report provides for the orderly and efficient termination of the SSC. The bill emphasizes fairness by recognizing the valuable contributions of the SSC work force and by providing for a transition period for these workers and their families. The bill also insures long-term savings by giving the Secretary of Energy the flexibility she needs to maximize the Federal Government's investment in the project.

Mr. Speaker, while most of the debate in this Chamber has focused on the SSC, I want to emphasize that there is much more to this bill than the SSC termination. This bill is about our future.

The conference report puts our country firmly on a path to resume our position of world leadership in renewable energy technologies. The bill also includes over \$4 billion in water resource projects in every State and every region of the country. Finally, the conference report makes environmental restoration and improvement a national priority.

We have provided funding for the key energy, science, and water projects, and we have done so within our subcommittee's allocation. We are under the President's budget request, under the 602(b) allocation, and under the amount appropriated last year.

This bill is a balanced approach. It is about looking ahead and making our economy stronger and our communities safer. I strongly urge a "yes" vote on the conference report.

□ 1320

Mr. FAZIO. Mr. Speaker, will the gentleman engage in a colloquy with me?

Mr. BEVILL. If the gentleman will yield, I will be pleased to join the gentleman in a colloquy.

Mr. FAZIO. Mr. Speaker, as the gentleman knows, the bill includes initial

funding for the Renewable Energy Production Incentive Program.

Mr. Speaker, the intent of this provision is for Department of Energy to provide incentive payments to as many types of eligible resources as possible, including methane gas recovery projects. Is this correct?

Mr. BEVILL. Yes, the gentleman is correct.

Mr. FAZIO. I thank the Chairman for this clarification.

Mr. MYERS of Indiana. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. Mr. Speaker, let me begin by thanking Chairman BEVILL and Mr. MYERS and all the House conferees for their excellent work in last week's conference. The conferees represented the House position fairly, forcefully, and judiciously, and I greatly appreciate their work. I know what a fine job they did because Chairman BEVILL took the unusual step of allowing me and the gentleman from Kansas [Mr. SLATTERY] to participate in those proceedings, and I thank him for that courtesy.

The outcome of that conference is the amendment we have before us today, which carries out the will of this House—which is to say the will of the people—to shut down the superconducting super collider [SSC]. The question before us now is: Where do we go from here?

Part of that concerns the shutdown process itself. All I want to say is that we will be watching closely to ensure that this project is closed out as cheaply and swiftly as possible.

But there is a larger question I must address today, and that is the question of what happens next to American science in general and to high-energy physics in particular.

I do not want the House vote on the SSC to be misinterpreted. This is not a vote that portends the end of Federal support for science, and this is not a signal that young people should be turning their attention to other fields. Indeed, many of us voted to kill the SSC precisely because we believed that science was being harmed by the SSC, and many scientists have applauded us for our work.

People who are painting the SSC vote in the darkest hues are doing this body a disservice, and they are needlessly frightening the scientific community. And if the doomsayers are believed, their words will become self-fulfilling prophecy. People should not despair about the Federal commitment to science—funding in many areas of science continues to rise, and with the demise of the SSC should be able to rise further.

High-energy physicists, of course, do have cause for concern. But this vote does not mean the end of high-energy physics any more than aborting the Isabelle project—the SSC's prede-

cessor—meant the doom of high-energy physics.

I stand ready to work with the high-energy physics community to come up with a program that can have long-term Federal support. It is not our goal to see this field of physics flounder. The Science Committee will be holding hearings on this subject, and we have already begun informal discussions with the White House Science Office.

The message of this vote was put well by an editorial in Sunday's New York Times. The Times wrote:

On costly projects like this, it will be critical to enlist other nations as partners. And it will be imperative to project costs accurately from the start, to head off the kind of anger that developed as the SSC's costs kept rising.

That is the message the House tried to send in our 1990 authorization bill for the SSC, and if that bill had become law, we would never have gotten to the point we are at today. Each side would have understood its commitments and stuck to them.

So let the planning for the future of high-energy physics begin today. The key must be to make the politics and logistics of high-energy physics as international as the science is. I look forward to working with my colleagues and with scientists to achieve that goal.

Mr. Speaker, I would like to engage the gentleman from Alabama [Mr. BEVILL], the chairman of the Subcommittee on Energy and Water Development of the Committee on Appropriations, in a colloquy.

Mr. Speaker, the amendment you have just proposed states that the \$640 million can be used solely for the orderly termination of the SSC. It is my understanding that this money cannot be transferred to any other account. If termination costs did not reach \$640 million, the money would remain unexpended. Is that correct?

Mr. BEVILL. Will the gentleman yield?

Mr. BOEHLERT. I yield to the gentleman from Alabama.

Mr. BEVILL. Yes, Mr. Speaker, that is correct.

Mr. BOEHLERT. The amendment also calls on the Secretary to recommend ways of making use of the assets of the SSC. I just want to make clear what we are talking about here. As I understand it, the recommendations would concern making the most out of the Federal investment while still entirely closing down the SSC site. Under this amendment, the site could not be mothballed or kept warm. It must be entirely closed down and the Federal presence entirely withdrawn. Is that correct?

Mr. BEVILL. Yes, that is correct.

Mr. BOEHLERT. I thank the chairman. Making it clear that this project is absolutely shut down is important not just for financial reasons but for

plotting the future of high-energy physics. We cannot have scientists assuming that this project still has life in it. My understanding is that the only work that can still be done on the site would be work required to enable the Federal Government to end its presence there as inexpensively and as speedily as possible. Is that correct?

Mr. BEVILL. Yes, that is correct.

Mr. BOEHLERT. One final question. The amendment gives the Secretary authority regarding severance pay, relocation costs, and contracting for advice on the future of this project. It is my understanding that this language is entirely permissive. It does not require the Secretary to do anything. Is that correct?

Mr. BEVILL. Yes, that is correct.

Mr. BOEHLERT. That is important, because planning in high-energy physics has generally been done by voluntary advisory groups, not by contractors. I want to thank the chairman for his work with us and for representing the position of the House forcefully and forthrightly in last week's conference.

Mr. BEVILL. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. COPPERSMITH].

Mr. COPPERSMITH. Mr. Speaker, I thank the distinguished gentleman for yielding me this time.

Mr. Speaker, I rise in regretful but continued opposition to the conference report on H.R. 2445. While I take pride that the conference committee finally agreed to uphold this body's strong position that we cannot afford to continue funding for the superconducting super collider, I am dismayed by the fact that after the conference report was recommitment, the committee did not address the more fundamental institutional problem.

From a budgetary standpoint, this bill illustrates a disturbing tendency of conferees to agree to the higher level of spending rather than agree to one body's lower funding, or even to compromise in the middle.

I particularly object to the funding in this bill for the unnecessary, expensive, and dangerous advanced liquid metal reactor [ALMR], which this body voted overwhelmingly to terminate during original consideration of this legislation. Despite that 272-to-146 vote, and significant support in the other body for terminating this program completely, the conference committee has provided \$147 million for the ALMR program, far more than the administration requested, and \$14 million more than the program received last year.

The conference committee first agreed to the higher spending number, usually the number of the other body, in 11 out of 14 items in disagreement on Department of Energy civilian programs. This conferencing up resulted in the final bill having more spending

than the original versions passed by either body. Now, excluding the SSC, the conference agreement still contains the higher number for 10 of those 14 items in disagreement.

This conferencing up undermines serious deficit reduction efforts, and I want to add further that the vote to terminate the SSC will make sense only if we insist on similar efforts on other projects that no longer measure up.

Mr. Speaker, I do not propose to battle today on this issue. I understand that only one upheaval per bill is customary, and the SSC took that opportunity here. Also, the distinguished chairman, as well as the ranking member, of the subcommittee certainly have suffered enough for this year.

However, we will have other opportunities to insist on the position of this house, and to apply the same sort of budget discipline that we brought to the SSC, to other programs—as we must do if we are serious about bringing the deficit under control.

Mr. MYERS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Speaker, I rise in support of the conference report on H.R. 2445. I would like to speak in support of one of the projects funded by this bill, the Department of Energy's Advanced Liquid Metal Reactor and Actinide Recycle R&D Program.

I firmly believe that the United States is in desperate need of technology which is capable of burning or reducing nuclear waste and disposing of plutonium from our weapons stockpile.

□ 1330

The Department of Energy has studied actinide recycle and advanced liquid metal reactor technology as technology which might meet both of these goals in addition to having the capability of producing both tritium and electricity.

I know that there is some controversy over this particular program. But without this funding, the Department of Energy, in its search for technology to produce tritium, dispose of plutonium, and address the nuclear waste issue, would be unable to even think about advanced liquid metal reactor technology, no matter how promising it might be. I believe that this is wrong.

Without some sort of prospective program to address the nuclear waste problem, I believe we will close out the nuclear option, which, incidentally, supplies about 15 percent to 17 percent of all of our electricity in this country.

Mr. Speaker, I firmly believe that we should pass this bill, this conference report, in its present form.

Mr. MYERS of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Speaker, I thank our distinguished ranking member of the Subcommittee on Energy and Water Development for yielding me this time. I rise in strong support of this conference report.

Mr. Speaker, I rise to address provisions in the conference report on H.R. 2445, the Energy and Water Development Appropriations Act for fiscal year 1994. I particularly want to express strong support for various water resources projects and programs of the Army Corps of Engineers funded throughout the bill.

First, let me commend the conferees for their efforts. From the beginning, they have cooperated with the Public Works and Transportation Committee, the House's authorizing committee for corps' water resources programs. I especially want to thank members of the House Appropriations Committee. They have worked closely with me and others on the Public Works Committee to include funding to address not only the Nation's water infrastructure needs but those in Pennsylvania, as well.

The conference report includes \$10 million for a critically needed environmental infrastructure and resource development program for south central Pennsylvania. The project, authorized in section 313 of the Water Resources Development Act of 1992, would help the corps meet various environmental and economic needs of rural communities. As one of the provision's primary drafters, I can assure Members that our intent was for the corps to accelerate normal procedures to get to actual construction as soon as possible.

The conference agreement is consistent with our intent regarding the Section 313 Program. It is also consistent with language from the House Appropriations Committee report on H.R. 2445 describing how funds should be spent.

While it provides only \$10 million of the \$17 million authorized, it will help to get the corps moving in the right direction—beyond preliminary study and planning and swiftly into project construction and implementation. This is not merely study money; it is money to get various projects up and running. While \$10 million is less than I had hoped for, \$5 million for each of the Chesapeake Bay and Ohio River watersheds will be helpful in meeting the region's enormous needs.

It is important to note, Mr. Speaker, that the conferees specifically rejected the Senate's approach to funding and implementation of the south central Pennsylvania program. The Senate bill had provided only \$700,000—barely enough to get the program moving beyond the conceptual stage and certainly not enough to get it moving quickly towards construction. The conferees, however, adopted the House's approach of providing a significant amount of funds from the construction general account to move the program into construction in fiscal year 1994. Therefore, the intent is clear: This program is not to be constrained by drawn-out studies or lengthy preconstruction delays.

Mr. Speaker, I would be remiss if I did not thank Congressman JOHN MURTHA for the invaluable role he has played in both authorizing and appropriating funds for the south central Pennsylvania program. We worked together on the provision in the 1992 act and again the

drafting of funding provisions in this legislation. I appreciate his leadership and help.

I also appreciate the Appropriations Committee's willingness to address other water resources issues in south central Pennsylvania. For example, the conference report provides \$400,000 for a watershed reclamation and wetlands pilot project for the broad top region. Also, it appropriates \$450,000 for the corps to initiate a comprehensive study of the Juniata River corridor, including a reevaluation of the flood control needs of Tyrone, PA.

To avoid any possible confusion, I should also clarify our intent regarding the Juniata River basin study. The Senate bill included only \$250,000—rather than \$450,000 as in the House bill—and limited the scope of the study to just the Tyrone component. The conference agreement, adopting the House's approach, provides \$450,000 for the Juniata River basin, including the Tyrone component.

Thank you, Mr. Speaker, for the opportunity to clarify some of the provisions in the conference report. I appreciate the work of the conferees, not only as it pertains to Pennsylvania but also to the entire Nation's water resources and environmental infrastructure.

Mr. MYERS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, I compliment the conferees in general for their work, but this Member strongly objects to the \$640 million appropriated in this conference report to shut down the superconducting super collider [SSC]. That is largely a waste of taxpayer funds since it is clearly excessive for legitimate shutdown costs. The inclusion of these funds in the conference report is just one more effort to keep the SSC alive.

According to Secretary of Energy O'Leary, the cost of shutting down the SSC project was estimated at over \$1 billion. The administration would work with the State of Texas to find jobs for the 2,000 people who work on the project near Dallas, she also said. The Secretary further commented that additional Federal funds may be necessary to help Texas cope with the SSC loss.

This Member takes very strong exception to the Department of Energy's estimate that it could take as much as \$1 billion to terminate the SSC over 2 years. For that matter \$640 million is too much. Both amounts are outrageously excessive. Just as the estimated construction cost continued to escalate, now it appears that costs associated with stopping this project are heading in the same direction. No matter what Secretary O'Leary said, the \$640 million should be the only funds made available to shut down the SSC project, and again even that amount is grossly excessive.

Mr. Speaker, it appears to be easier to drive a wooden stake through the heart of a vampire than to kill the SSC. This Member fears that SSC supporters in the Congress and the Department of Energy seek these excessive

funding levels in the hopes of reversing the clear congressional mandate to end the SSC project once and for all.

Mr. MYERS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Idaho [Mr. CRAPO].

Mr. CRAPO. Mr. Speaker, I also rise in support of this conference committee report.

I wanted to respond to some of the arguments that have been made about the advanced liquid metal reactor, or the IFR technology, because it is important that it is included in this bill. Its opponents have pointed out, or have argued that it is not economically viable, and that it is not needed technology, that it is wasteful. But the opposite is true.

Several years ago the U.S. Congress asked the National Academy of Sciences to study all of the nuclear technology that is available to us today and to tell this Congress which of those options were the ones that it should pursue. And for long-term research needs that report said that the committee believes that the LMR should have the highest priority for long-term nuclear technology development.

Mr. Speaker, in Congress we have faced many times the need to focus America's efforts on maintaining its leading edge in research and development in many areas of science throughout the world. Nuclear research is one of those key areas that we must not forget. And if we do not support and continue to support the integral fast reactor and liquid metal reactor research, America will slip that much further behind in this needed area of technology.

For all of the reasons that have been stated in past debates, and as the gentleman from California [Mr. MOORHEAD] stated today, we must keep our competitive edge in the nuclear arena, and we must recognize that the integral fast reactor is the best source for our long-term nuclear options.

Mr. MYERS of Indiana. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. BARTON].

Mr. BARTON of Texas. Mr. Speaker, I rise in respectful opposition to the conference report. I am opposed not because of the work of the chairman, the subcommittee chairman or the members of the committee, but because of the fundamental decision embedded in the conference report that the United States is going to turn its back on basic research at the highest level, specifically with regard to the termination of the SSC.

President Lincoln at the end of the War Between the States, or right before the end of the War Between the States, gave a famous speech which he concluded by saying, "With charity toward all, with malice toward none." He said that in victory. I would like to paraphrase President Lincoln in defeat.

I think it is much more difficult to be magnanimous in defeat than it is victory, and I certainly have no disrespect or malice toward any of the opponents of the SSC. I believe they have acted in what they think is in the best interests of their constituency and the national good.

But I think they are mistaken, because the super collider's termination marks the first time in our Nation's history that as a nation we have turned our back on the ability to expand the frontiers of basic knowledge. The consequences of that are yet to be determined, but there is no doubt in my mind that those consequences will be negative and not positive.

Unfortunately, the Federal Government is the only institution in this Nation that can finance basic science at the highest levels. The cost is significant. The latest official cost estimate for the SSC was \$8.2 billion. That is a lot of money. But we needed that to go, as they say on "Star Trek," where no man has gone before. Simply put, it is more expensive to do cutting edge, world-class science than it is to do backyard science, so to speak.

The SSC is 20 percent complete, and in spite of all of the hyperbole, the SSC is approximately 6 percent under budget of money expended as opposed to money that should have been expended for work completed.

It is very important to remember that the size and the cost of the SSC were not pulled out of a hat. It was a conscientious decision by the scientific community to expand the energy level of particle accelerators by an order of magnitude 20 times more powerful than the most powerful accelerator now in use, which is the Tevatron Fermi Lab, which has an energy level of 1 trillion electron volts. The SSC, if completed, would have been 20 trillion electron volts, 20 times more powerful. It was designed to be that large and that powerful because the scientists calculated that was what was needed to finally get to the basic question of how the universe was created and what the ultimate building blocks of matter are. They estimated that the energy level necessary for experimental purposes was somewhere between 15 trillion and 20 trillion electron volts.

I respectfully disagree with the gentleman from New York [Mr. BOEHLERT] when he said that termination of the SSC does not mean that the United States is backing away from basic science. Ladies and gentlemen, there has been a science brain drain in this country for the last 15 years as high-energy physicists have gone to Europe. We had reversed that with the building of the SSC. We are not going to see that brain drain started again, and the best high-energy physicists are going to go to Europe, because that is where the best science is being done. The Japanese will almost certainly help the

Europeans at the CERN facility in Switzerland. They are not going to come here. If Albert Einstein was alive and looking for a place to do science today, he would not come to the United States, like he did in the 1930's. He would go to Europe, to Switzerland.

So termination of the SSC does represent a fundamental decision on behalf of the House of Representatives to turn our back on maintaining the United States as the world leader in basic research.

The latest cost numbers that are actually coming in, in the last few months show clearly that the project is moving ahead. Tunneling done to date is somewhere between 30 and 40 percent under budget, and we would have recognized significant savings in this area in the next year had we continued the project.

With all due respect, I would hope that we would defeat this conference report. If we cannot do that, I would hope that the President would veto the bill and send it back with instructions to include funding.

I include for the RECORD my letter to President Clinton asking him to do just that:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 22, 1993.

HON. WILLIAM J. CLINTON,
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT: I am writing to ask you to veto H.R. 2445, the FY94 Energy and Water Appropriations bill, when it comes to you for your signature.

As you know, this bill appropriates \$640 million for termination of the Superconducting Super Collider (SSC). I do not believe that stopping the SSC at this time is wise. We have already invested over \$2 billion in this project to bring it to 20 percent completion. Thousands of people have invested their careers in this project and moved themselves and their families from across the Nation and around the world.

In addition to the buildings, land, and people, the long-term scientific benefits of the SSC provide a compelling argument for saving the SSC. At a time when the world looks to the United States for leadership, we cannot afford to "cut-and-run" on our truly pioneering endeavors in science.

The fate of the SSC, the thousands of dedicated employees, and indeed the future of high energy physics research rests in your hands. I strongly urge you to veto the FY94 Energy and Water Appropriations bill, and send it back with instructions to restore funding for building the SSC, not terminating it.

Sincerely,

JOE BARTON,
Member of Congress.

Mr. MYERS of Indiana. Mr. Speaker, I yield myself 1 minute.

The discussion has been made here today that the \$640 million provided in this bill for termination is too much. I do not think anyone can say it is too much or too little.

Secretary O'Leary sent our chairman a letter this morning saying that she was examining this. Under the conditions of the next amendment that we

are going to be considering, the Secretary does have to make an estimate back to us. She has to report back to us on what those costs are. We do not know. There are a lot of contracts that have been let, but as of this date no one can say just how much those contracts are going to cost to terminate.

□ 1340

So whether it is \$640 million, too little or too much, is all conjecture. We do not know at this point. The committee did feel it was going to cost a lot of money and the taxpayers are going to lose a lot of money on this project because of the termination. We know it is going to cost a considerable amount of money.

The committee did say that the \$640 million, said very carefully, it cannot be spent for anything except for termination costs and costs associated with the restoration of the site in Texas.

Mr. Speaker, that is a little bit like taking a swipe when we say that that is too much money; no one knows.

Mr. Speaker, with that I yield back the balance of my time.

Mr. BEVILL. Mr. Speaker, I yield myself such time as I may consume.

I rise urging each Member to please support this conference and the amendments in disagreement. This has been a most difficult conference and one that is most unusual. Each of the two Houses were voting in opposite directions and with the final vote being so different. It has made it very difficult. But the Senate has receded to the House's position, and we would appreciate now the House voting for this conference report and the amendments thereto.

Mr. MINETA. Mr. Speaker, I rise in strong support of the conference report on energy and water development appropriations, and in particular support of the Advanced Liquid Metal Reactor Program.

The ALMR system is an advanced reactor power plant and fuel cycle concept being jointly developed by U.S. industry and the national laboratories under DOE sponsorship. We in Congress have supported this ALMR development for the past several years. This important cost-shared R&D program is also supported by utilities, industry, and foreign countries with great potential for commercialization after 2010.

Mr. Speaker, countries around the world recognize the important role nuclear power must play in the production of clean, safe, economical, and abundant electricity. Global markets for United States industry are rapidly increasing in countries such as Japan, Taiwan, Korea, and Indonesia. These countries continue to look to the United States for leadership in nuclear power technology. The nuclear power plant market potential in the Pacific rim nations during the next 15 years is estimated to be over \$175 billion. This represents well over 100,000 U.S. jobs.

Abandonment of advanced nuclear research by the United States would send a frightening message to the rest of the world—that this

Nation does not have the foresight to prepare for the energy problems of the future, and that we are content to rely on increasingly scarce resources and will continue to ignore the potential benefits of nuclear energy.

Mr. Speaker, the Advanced Liquid Metal Reactor Program has the potential to meet our Nation's long-term energy needs. In addition, the ALMR will address the spent fuel challenges of the lightwater reactor industry, provide a path for conversion of weapons plutonium to useful energy, and strengthen the U.S. technical and economic world leadership. A strong U.S. nuclear industry can and must be a major contributor to the world's need for clean, safe, and low-cost electricity.

I urge my colleagues to support funding for the Advanced Liquid Metal Reactor Program and to pass the conference report on energy and water development.

Mr. SLATTERY. Mr. Speaker, I would first of all like to thank Chairman BEVILL, and also the ranking member, Mr. MYERS, for their hard work on this important bill, and for their fairness in dealing with us on the issue of the superconducting super collider [SSC].

The passage of H.R. 2445, the fiscal year 1994 energy and water appropriations bill conference report, is a very significant event for Congress, this House, and the American taxpayers. This bill contains very clear instructions regarding the termination of the superconducting super collider. Termination of this project will save taxpayers as much as \$10 billion over the next decade.

I would also like to recognize and thank all of the Members, present and past, who worked on the effort to terminate the SSC. I would especially like to thank Dennis Eckart, who was a champion of this effort before he left Congress last year. Also, Howard Wolpe is another Member who worked hard to expose the problems of the SSC. And finally I would like to thank SHERRY BOEHLERT, who has been my tireless partner in working to kill the super collider.

I would like to state that the termination of the SSC is not an action against science. I strongly support scientific and technological research, and have been concerned that going forward with the super collider would have squeezed out smaller, but vital, research projects. I did not argue that the SSC was a pork-barrel project. I have argued, however, that while the SSC may be interesting science, it is not priority science, and the project has had too many problems and has grown too expensive to be justified at this time of large budget deficits and a crippling national debt.

The SSC is not being canceled due to a whim of the House, due to antiscience sentiments, or due to anti-Texas sentiments. This was a well-reasoned decision. The Members of the House weighed carefully the pro's and con's of the SSC and concluded that the SSC no longer met the terms that had been outlined when we first agreed to build it.

Unfortunately, nothing about the super collider turned out as advertised. The cost rose from an original estimate of only \$4.4 billion to recent projections of \$13 billion, or triple the cost. Numerous studies by the General Accounting Office [GAO] and the Department of Energy's own inspector general found that the SSC was overbudget, behind schedule,

and that many expenditures were unreasonable because they were unnecessary, excessive, or represented uncontrolled cost growth.

Government investigators also reported that employees at the SSC laboratory obstructed audits, tried to disguise expenditures by shifting them to different accounts, arbitrarily marked documents as classified, and wasted taxpayer funds on unauthorized expenditures such as large quantities of liquor, expensive receptions and hospitality meetings, and extravagant holiday parties.

And even in its most recent testimony, GAO noted that the SSC's contractor, Universities Research Association [URA], still had not implemented the cost and schedule control system required by their contract, making it impossible to accurately track the expenditure of funds. In fact, the Secretary of Energy announced her intention earlier this year to fire URA as the contractor for the construction of the super collider.

Other agencies and experts came out against the SSC. Many scientists argued that the project focused too much funding on a small subfield of physics, and that it would have drained funds from other important fields. The Congressional Budget Office [CBO] reported that the SSC would not provide the research and training opportunities necessary to justify a project of its size. CBO also concluded that the super collider was consuming a disproportionate share of U.S. science resources, and that it was an investment that would not provide society with a good rate of return.

Early backers of the SSC, including Presidents Reagan and Bush, Energy Secretary Watkins, and key scientists such as project director Roy Schwitters were unable to persuade foreign governments to make the contributions that had been promised to offset U.S. expenditures. Legislators were told originally that the Federal Government would only have to fund two-thirds of the construction costs. The Secretary of Energy later promised to obtain \$1.7 billion from foreign governments. However, earlier this year the Secretary of Energy downgraded that commitment to only \$400 million.

Last year during House debate, the chairman of the House Science, Space, and Technology Committee, a strong supporter of the SSC, argued that we could not afford to build a project of this magnitude on our own. He sponsored an amendment stating that no further Federal dollars should be spent on the SSC if we did not obtain \$650 million in foreign contributions by April 1993. We have received only 10 percent of that amount. Even President Bush, a Texan, was unsuccessful in convincing the Japanese of the merits of the project, further undermining congressional confidence.

As the evidence of serious problems with the project continued to increase, political support for the SSC shrank. Two years ago funding for the SSC was approved in the House by a margin of 86 votes. Last year the House voted by a margin of 51 votes to reject further funding of the super collider. And finally last week the House voted 282 to 143—an overwhelming margin of 139 votes—to terminate the project.

Again, two-thirds of the House of Representatives decided to terminate the super

collider, not because they are opposed to science, but because of the tremendous problems that plagued this project in particular. It became too difficult to go home to constituents demanding spending cuts and explain why the Government was continuing to fund the costly super collider. We simply cannot justify spending \$13 billion on a project with such narrow benefits, such a dismal management record, and without international cooperation. It was poor implementation and management, not a poor scientific idea, that lead to this outcome.

I understand the sorrow of those who worked on this project, and who may now lose their jobs. Many residents of my State have lost their jobs in recent years due to causes ranging from defense cutbacks at the Kansas Army ammunition plant in Parsons, downsizing of the aviation and aeronautics industries in Wichita, and a faltering economy in general. I certainly hope we can turn this situation around. I hope the Federal Government will help create cost-effective, high-technology manufacturing jobs for the future. But the SSC cost us approximately \$80,000 per job created, with no product generated. I have argued that to get our debt under control, we need to make tough choices and cut spending. This was a tough choice, but we simply cannot afford to continue to fund every big-ticket project that comes along.

I think the American people understand this, and respect Congress for the tough decision it has made. The House stood behind its vote and changed a process in need of reform. I hope that in the future, spending cuts can be accomplished more readily, because I realize that killing the SSC is only a small drop in the bucket. But I will end my statement as I began it by stating that this bill signifies an important landmark in the effort to control Federal spending. Passage of this conference report sends a critical signal to taxpayers that Congress hears their message and has the backbone to stand up and make the tough choices.

Mr. BEVILL. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). All time has expired.

Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURTON of Indiana. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 332, nays 81, not voting 20, as follows:

[Roll No. 526]

YEAS—332

Ackerman	Foglietta	Martinez
Andrews (ME)	Ford (MI)	Matsui
Andrews (NJ)	Ford (TN)	Mazzoli
Andrews (TX)	Fowler	McCandless
Applegate	Frank (MA)	McCloskey
Bacchus (FL)	Franks (NJ)	McCrery
Bachus (AL)	Furse	McCurdy
Baessler	Gallegly	McDade
Baker (CA)	Gallo	McDermott
Ballenger	Gejdenson	McHale
Barca	Geren	McInnis
Barcia	Gibbons	McKeon
Barlow	Gilchrest	McKinney
Barrett (NE)	Gillmor	McNulty
Barrett (WI)	Gilman	Meehan
Bateman	Gingrich	Meek
Becerra	Glickman	Menendez
Bellenson	Gonzalez	Meyers
Bentley	Goodlatte	Mfume
Bereuter	Goodling	Michel
Bevill	Gordon	Miller (CA)
Bilbray	Grams	Mineta
Billakis	Grandy	Mink
Bishop	Gunderson	Moakley
Bliley	Gutierrez	Molinari
Blute	Hall (OH)	Mollohan
Boehlert	Hamburg	Montgomery
Bonior	Hamilton	Moorhead
Borski	Hansen	Moran
Boucher	Harman	Morella
Brewster	Hastert	Murphy
Browder	Hastings	Murtha
Brown (FL)	Hayes	Myers
Brown (OH)	Hefner	Natcher
Bryant	Herger	Neal (MA)
Bunning	Hilliard	Neal (NC)
Byrne	Hinchey	Oberstar
Callahan	Hoagland	Obey
Calvert	Hobson	Oliver
Canady	Hochbrueckner	Ortiz
Cantwell	Hoekstra	Owens
Cardin	Houghton	Packard
Carr	Hoyer	Pallone
Castle	Huffington	Parker
Chapman	Hughes	Pastor
Clay	Hutchinson	Payne (NJ)
Clayton	Hutto	Pelosi
Clement	Hyde	Peterson (FL)
Clinger	Inslee	Pickett
Clyburn	Istook	Pickle
Coleman	Jefferson	Pomeroy
Collins (IL)	Johnson (CT)	Portman
Collins (MI)	Johnson (GA)	Poshard
Conyers	Johnson (SD)	Pryce (OH)
Cooper	Johnston	Quillen
Costello	Kanjorski	Quinn
Cox	Kaptur	Rahall
Coyne	Kasich	Rangel
Cramer	Kennelly	Ravenel
Crapo	Kildee	Reed
Danner	Kim	Regula
Darden	King	Reynolds
de la Garza	Kingston	Richardson
Deal	Kleczka	Roemer
DeFazio	Klein	Rogers
DeLauro	Knollenberg	Rohrabacher
Dellums	Kolbe	Ros-Lehtinen
Derrick	Kopetski	Roukema
Deutsch	Kreidler	Rowland
Diaz-Balart	Kyl	Roybal-Allard
Dickey	LaFalce	Rush
Dicks	Lambert	Sabo
Dingell	Lancaster	Sanders
Dixon	Lantos	Sangmeister
Dooley	LaRocco	Santorum
Doolittle	Laughlin	Sarpalius
Durbin	Lazio	Sawyer
Edwards (CA)	Leach	Saxton
Edwards (TX)	Lehman	Schaefer
Emerson	Levin	Schenk
English (AZ)	Levy	Schiff
English (OK)	Lewis (CA)	Schroeder
Eshoo	Lewis (GA)	Schumer
Evans	Lightfoot	Scott
Everett	Linder	Serrano
Farr	Lipinski	Shaw
Fawell	Livingston	Shepherd
Fazio	Lloyd	Shuster
Fields (LA)	Long	Sisisky
Filner	Machtley	Skaggs
Fingerhut	Mann	Skeen
Fish	Manton	Skelton
Flake	Markey	Slattery

Slaughter
Smith (NJ)
Smith (OR)
Snowe
Spence
Spratt
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Tejeda

Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walsh

Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zimmer

NAYS—81

Allard	Hall (TX)	Paxon
Archer	Hancock	Payne (VA)
Armey	Hefley	Penny
Baker (LA)	Hoke	Peterson (MN)
Bartlett	Holden	Petri
Barton	Hunter	Pombo
Boehner	Inglis	Ramstad
Bonilla	Inhofe	Roberts
Burton	Jacobs	Roth
Buyer	Johnson, E. B.	Royce
Camp	Johnson, Sam	Sensenbrenner
Coble	Klink	Sharp
Collins (GA)	Klug	Shays
Combest	Lewis (FL)	Smith (MI)
Condit	Maloney	Smith (TX)
Coppersmith	Manzullo	Solomon
Crane	Margolies	Stark
Cunningham	Mezvinsk	Stearns
Dreier	McCollum	Stenholm
Duncan	McHugh	Stump
Dunn	McMillan	Sundquist
Ewing	Mica	Taylor (NC)
Fields (TX)	Miller (FL)	Upton
Franks (CT)	Minge	Valentine
Frost	Nadler	Walker
Gekas	Nussle	Zeliff
Goss	Orton	
Green	Oxley	

NOT VOTING—20

Abercrombie	Engel	Price (NC)
Berman	Gephardt	Ridge
Blackwell	Greenwood	Rose
Brooks	Horn	Rostenkowski
Brown (CA)	Kennedy	Smith (IA)
DeLay	Lowe	Wilson
Dornan	Porter	

□ 1403

Mrs. MALONEY, Ms. EDDIE BERNICE JOHNSON of Texas, and Messrs. NADLER, HALL of Texas, and STENHOLM changed their vote from "yea" to "nay."

Mr. GRAMS changed his vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. LOWEY. Mr. Speaker, I inadvertently missed rollcall vote 526. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. NADLER. Mr. Speaker, on rollcall No. 526 I was recorded as voting "nay." I would like the RECORD to reflect my intention was to vote "aye."

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). Pursuant to the order of the House of today, October 26, 1993, the amendments in disagreement

and the motions printed in the joint statement of the committee of conference to dispose of the amendments in disagreement are considered as read.

The Clerk will designate the first amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 2: page 2, strike out all after line 20 over to and including "\$500,000" in line 6 on page 4 and insert:

Central Basin Groundwater Project, California, \$750,000;

McCook and Thornton Reservoirs, Illinois, \$5,500,000;

Indianapolis, White River, Central Waterfront, Indiana, \$900,000;

Little Calumet River Basin (Cady Marsh Ditch), Indiana, \$310,000;

Ohio River Shoreline Flood Protection, Indiana, \$400,000;

Hazard, Kentucky, \$250,000;

Brockton, Massachusetts, \$350,000;

Passaic River Mainstem, New Jersey, \$10,000,000;

Pocotaligo River and Swamp, South Carolina, \$400,000;

Jennings Randolph Lake, West Virginia, \$400,000;

Monongahela River Comprehensive, West Virginia, \$600,000; and

West Virginia Comprehensive, West Virginia, \$500,000;

Provided, That notwithstanding ongoing studies using previously appropriated funds, and using \$2,500,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct hydraulic modeling, foundations analysis and related design, and mapping efforts in continuing preconstruction engineering and design for the additional lock at Kentucky Dam, Kentucky project, in accordance with the Kentucky Lock Addition Feasibility Report approved by Report of the Chief of Engineers, dated June 1, 1992: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$250,000 of available funds to complete a detailed project report, and plans and specifications for a permanent shore erosion protection project at Geneva State Park, Ashtabula County, Ohio: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$400,000 appropriated herein to continue preconstruction engineering and design, including preparation of the special design report, initiation of National Environmental Policy Act document preparation, and initiation of hydraulic model studies for the Kaumalapau Harbor navigation study, Lanai, Hawaii: *Provided further*, That the Secretary of the Army is directed to limit the Columbia River Navigation Channel, Oregon and Washington feasibility study to investigation of the feasibility of constructing a navigation channel not to exceed 43-feet in depth from the Columbia River entrance to Port of Portland/Port of Vancouver and to modify the Initial Project Management Plan accordingly: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$400,000 of funds appropriated herein to initiate a reconnaissance study, including economic and environmental studies, for the Pocotaligo River and Swamp, South Carolina: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$90,000 of funds appropriated herein to complete the reconnaissance study of the Black Fox and Oakland Spring wet-

land area in Murfreesboro, Tennessee: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to utilize \$200,000 of available funds to initiate the planning and design of remedial measures to restore the environmental integrity and recreational boating facilities at Old Hickory Lake, in the vicinity of Drakes Creek Park, in accordance with the reconnaissance study findings dated September, 1993: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to utilize \$4,460,000 of available funds to complete preconstruction, engineering and design for the Ste. Genevieve, Missouri flood control project authorized by section 401(a) of the Water Resources Development Act of 1986 (100 stat. 4118) so that the project will be ready for construction by October 1, 1994: *Provided further*, That all plans, specifications and design documents shall be concurrently reviewed in order to expedite the project: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to utilize \$2,000,000 of funds appropriated herein to engineer and design the Virginia Beach Erosion Control and Hurricane Protection, Virginia project, including storm water collection and discharge, as authorized by section 102(cc) of Public Law 102-580

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 2 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert:

Central Basin Groundwater Project, California, \$750,000;

Los Angeles County Water Conservation, California, \$100,000;

Los Angeles River Watercourse Improvement, California, \$300,000;

Norco Bluffs, California, \$150,000;

Rancho Palos Verdes, California, \$80,000;

Biscayne Bay, Florida, \$700,000;

Lake George, Hobart, Indiana, \$200,000;

Little Calumet River Basin (Cady Marsh Ditch), Indiana, \$310,000;

Ohio River Shoreline Flood Protection, Indiana, \$400,000;

Hazard, Kentucky, \$250,000;

Brockton, Massachusetts, \$350,000;

Passaic River Mainstem, New Jersey, \$17,000,000;

Broad Top Region, Pennsylvania, \$400,000;

Juniata River Basin, Pennsylvania, \$450,000;

Lackawanna River Basin, Greenway Corridor, Pennsylvania, \$300,000;

Jennings Randolph Lake, West Virginia, \$400,000;

Monongahela River Comprehensive, West Virginia, \$600,000; and

West Virginia Comprehensive, West Virginia, \$500,000;

Provided, That notwithstanding ongoing studies using previously appropriated funds, and using \$2,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct hydraulic modeling, foundations analysis and related design, and mapping efforts in continuing preconstruction engineering and design for the additional lock at the Kentucky Dam, Kentucky, project, in accordance with the Kentucky Lock Addition

Feasibility Report approved by Report of the Chief of Engineers dated June 1, 1992: *Provided further*, That using \$250,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to include the study of the Alafia River as part of the Tampa Harbor, Alafia River and Big Bend, Florida, feasibility study: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$250,000 of available funds to complete a detailed project report, and plans and specifications for a permanent shore erosion protection project at Geneva State Park, Ashtabula County, Ohio: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$400,000 of the funds appropriated herein to continue preconstruction engineering and design, including preparation of the special design report, initiation of National Environmental Policy Act document preparation, and initiation of hydraulic model studies for the Kaumalapau Harbor navigation study, Lanai, Hawaii: *Provided further*, That using \$4,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with detailed designs and plans and specifications, including detailed cost estimates, for the master plan of the Indianapolis, White River, Central Waterfront, Indiana, project: *Provided further*, That the Secretary of the Army is directed to limit the Columbia River Navigation Channel, Oregon and Washington, feasibility study to the investigation of the feasibility of constructing a navigation channel not to exceed 43 feet in depth from the Columbia River entrance to the Port of Portland/Port of Vancouver and to modify the Initial Project Management Plan accordingly: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$400,000 of the funds appropriated herein to initiate a reconnaissance study, including economic and environmental studies, for the Pocotaligo River and Swamp, South Carolina, project: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$90,000 of the funds appropriated herein to complete the reconnaissance study of the Black Fox and Oakland Spring wetland area in Murfreesboro, Tennessee: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to utilize \$200,000 of available funds to initiate the planning and design of remedial measures to restore the environmental integrity and recreational boating facilities at Old Hickory Lake, Tennessee, in the vicinity of Drakes Creek Park, in accordance with the reconnaissance study findings dated September 1993: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to utilize \$4,460,000 of available funds to complete preconstruction engineering and design for the Ste. Genevieve, Missouri, flood control project authorized by section 401(a) of the Water Resources Development Act of 1986 (100 stat. 4118) so that the project will be ready for construction by October 1, 1994: *Provided further*, That all plans, specifications and design documents shall be concurrently reviewed in order to expedite the project: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to utilize \$2,000,000 of the funds appropriated herein to undertake preconstruction engineering and design of the Virginia Beach Erosion Control and Hurricane Protection, Virginia, project, including storm water collection and discharge, as

authorized by section 102(cc) of Public Law 102-580

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama [Mr. BEVILL].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 3: page 4, line 16, strike out "\$1,389,138,000" and insert "\$1,296,167,000".

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 3 and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert "\$1,255,875,000".

The SPEAKER pro tempore. Without objection, the motion is agreed to.

Mr. BURTON of Indiana. Mr. Speaker, I object.

Mr. BEVILL. Mr. Speaker, I will yield to the gentleman from Indiana [Mr. BURTON] if he wishes to debate the motion.

Mr. BURTON of Indiana. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Alabama [Mr. BEVILL] a question.

Mr. Speaker, this amendment is about \$12 million above what left the House in the House-passed bill. Can the gentleman tell me what that extra \$12 million is for? Is that for somebody's special project, or what did that go for?

Mr. BEVILL. Mr. Speaker, this is for a group of projects. It is all the projects that are in the construction account.

Mr. BURTON of Indiana. Are these projects new projects, or are they ongoing projects that are being refunded?

Mr. BEVILL. Most of them are ongoing projects.

Mr. BURTON of Indiana. Are they pretty much the same as last year as far as cost is concerned, or are they above last year?

Mr. BEVILL. Most are about the same.

Mr. BURTON of Indiana. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Without objection, the motion is agreed to.

There was no objection.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 4: Page 4, strike out all after line 24 over to and including "\$1,467,000" in line 24 on page 7, and insert: Rillito River, Arizona, \$4,200,000;

Coyote and Berryessa Creeks, California, \$4,000,000;

Sacramento River Flood Control Project (Glenn-Colusa Irrigation District), California, \$400,000;

San Timoteo Creek (Sante Ana River Mainstem), California, \$12,000,000;

Sonoma Baylands Wetland Demonstration Project, California, \$4,000,000;

Central and Southern Florida, Florida, \$9,500,000;

Kissimmee River, Florida, \$5,000,000;

Casino Beach, Illinois, \$300,000;

O'Hare Reservoir, Illinois, \$5,000,000;

Des Moines Recreational River and Greenbelt, Iowa, \$1,700,000;

Pike County (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, \$5,000,000;

Salysville, Kentucky, \$1,000,000;

Williamsburg (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, \$700,000;

Lake Pontchartrain and Vicinity (Jefferson Parish), Louisiana, \$200,000;

Anacostia River, Maryland and District of Columbia, \$700,000;

Stillwater, Minnesota, \$2,400,000;

Sowashee Creek, Mississippi, \$3,240,000;

Molly Ann's Brook, New Jersey, \$1,000,000;

New York Harbor Collection and Removal of Drift, New York and New Jersey, \$2,900,000;

Lake O' The Pines-Big Cypress Bayou, Texas, \$300,000;

Red River Basin Chloride Control, Texas and Oklahoma, \$4,000,000;

Wallisville Lake, Texas, \$1,000,000;

Quonset Point-Davisville, Rhode Island (for 2 elevated water storage towers and the relocation of sewer lines), \$1,875,000; and

Southern West Virginia Environmental Restoration Infrastructure and Resource Protection Development Pilot Program, West Virginia, \$3,500,000;

Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$3,500,000 of available funds to initiate and complete construction of the Finn Revetment portion of the Red River Emergency Bank Protection, Arkansas and Louisiana project: *Provide further*, That the Chief of Engineers is directed to use a fully funded contract for the construction of the Finn Revetment: *Provided further*, That the Secretary of the Army is directed to use \$3,500,000 of funds appropriated herein to continue the Red River Levees and Bank Stabilization below Denison Dam, Arkansas project, including completion of studies to improve the stability of the levee system from Index, Arkansas to the Louisiana State line and continuation of rehabilitation work underway: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers of the Army Corps of Engineers, shall (1) use \$2,000,000 of funds appropriated herein to carry out engineering design for the relocation of the comfort and lifeguard stations on the Atlantic coast of New York City, from Rockaway Inlet to Norton Point, as authorized by section 1076 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 105 Stat. 2015), and (2) not later than 1 year after the date of enactment of this Act, report to Congress on the results of the expenditure of funds required under paragraph (1): *Provided further*, That with \$2,000,000 appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Bethel, Alaska project authorized by Public Law 99-662, including but not limited to initiating lands and dam-

ages, erosion control construction, and continued related engineering and construction management: *Provided further*, That no fully funded allocation policy shall apply to the construction of the Bethel, Alaska project: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$24,119,000 of the funds appropriated herein to continue the Lake Pontchartrain and Vicinity, Louisiana, Hurricane Protection project, including continued construction of parallel protection along Orleans and London Avenue Outfall Canals and the award of continuing contracts for construction of this parallel protection under the same terms and conditions specified for such work under this heading in Public Law 102-377: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$450,000 of funds appropriated herein to complete the repair and restoration to a safe condition of the existing Tulsa and West Tulsa local protection project, Oklahoma, authorized by the Flood Control Act of 1941, Public Law 73-228: *Provided further*, That with \$19,300,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue to undertake structural and nonstructural work associated with the Barboursville, Kentucky, and the Harlan, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367: *Provided further*, That with \$5,365,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue to undertake structural and nonstructural work associated with Matewan, West Virginia, element of the Levisa and Tug Forks of the Big Sandy and Upper Cumberland River project authorized by section 202 of Public Law 96-367: *Provided further*, That with \$3,500,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Hatfield Bottom, West Virginia, element of the Levisa and Tug Forks of the Big Sandy and Upper Cumberland River project authorized by section 202 of Public Law 96-367 using continuing contracts: *Provided further*, That no fully allocated funding policy shall apply to construction of the Matewan, West Virginia, Hatfield Bottom, West Virginia, Barboursville, Kentucky, and Harlan, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy and Upper Cumberland river project: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate and complete construction of offshore breakwaters at Grand Isle, Louisiana, as an integral part of the repair of features of the Grand Isle and Vicinity, Louisiana, project damaged by Hurricane Andrew using funds previously appropriated for the purpose in the fiscal year 1992 Dire Emergency Supplemental Appropriations Act, Public Law 102-368, which are available for this work: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the section 14 bank stabilization program at McGregor Park in Clarksville, Tennessee utilizing heretofore appropriated funds until the Federal funds limit of \$550,000 is reached or bank protection for the entire park is completed: *Provided further*, That using \$6,300,000 of the funds appropriated herein, the Secretary of

the Army, acting through the Chief of Engineers, is directed to continue with the authorized Ouachita River Levees, Louisiana project in an orderly but expeditious manner and within this amount, \$3,800,000 shall be used to continue rehabilitation or replacement of all deteriorated drainage structures which threaten the security of this critical protection, and \$2,500,000 shall be used to repair the river bank at Columbia, Louisiana, which is eroding and placing the project levee protecting the city in imminent danger of failure: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to utilize \$3,000,000 appropriated herein to provide design and construction assistance for a water transmission line from the northern part of Beaver Lake, Arkansas, into Benton and Washington Counties, Arkansas as authorized by section 220 of Public Law 102-580; and in addition, \$145,000,000, to remain available until expended, is hereby appropriated for construction of the Red River Waterway, Mississippi River to Shreveport, Louisiana, project, as authorized by laws, and the Secretary is directed to continue the second phase of construction of Locks and Dams 4 and 5; complete construction of Howard Capout, McDade, Elm Grove, Cecile, Curtis, Sunny Point, and Eagle Bend Phase I and Phase II revetments in Pools 4 and 5, and levee modifications in Pool 5, all of which were previously directed to be initiated; and award continuing contracts in fiscal year 1994 for construction of the following features of the Red River Waterway which are not to be considered fully funded: recreation facilities in Pools 4 and 5, Piermont/Nicholas and Sunny Point Capouts, Lock and Dam 4 Upstream Dikes, Lock and Dam 5 Downstream Additional Control Structure, Wells Island Road Revetment, and construction dredging in Pool 4; all as authorized by laws, and the Secretary is further directed to provide annual reimbursement to the projects local sponsor for the Federal share of management costs for the Bayou Bodcau Mitigation Area as authorized by Public Law 101-640, the Water Resources Development Act of 1990

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 4 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert:

Rillito River, Arizona, \$4,200,000;
Coyote and Berryessa Creeks, California, \$4,000,000;
Sacramento River Flood Control Project (Glenn-Colusa Irrigation District), California, \$400,000;
San Timoteo Creek (Santa Ana River Mainstem), California, \$12,000,000;
Sonoma Baylands Wetland Demonstration Project, California, \$4,000,000;
Central and Southern Florida, Florida, \$17,850,000;
Kissimmee River, Florida, \$5,000,000;
Melaleuca Quarantine Facility, Florida, \$1,000,000;
Casino Beach, Illinois, \$820,000;
McCook and Thornton Reservoirs, Illinois, \$13,000,000;
O'Hare Reservoir, Illinois, \$5,000,000;
Des Moines Recreational River and Greenbelt, Iowa, \$2,700,000;

Lake Pontchartrain and Vicinity (Jefferson Parish), Louisiana, \$200,000;

Anacostia River, Maryland and District of Columbia, \$700,000;

Clinton River Spillway, Michigan, \$2,000,000;

Silver Bay Harbor, Minnesota, \$2,600,000;

Stillwater, Minnesota, \$2,400,000;

Sowashee Creek, Mississippi, \$3,240,000;

Molly Ann's Brook, New Jersey, \$1,000,000;

New York Harbor Collection and Removal of Drift, New York and New Jersey, \$3,900,000;

Rochester Harbor, New York, \$4,000,000;

Wilmington Harbor Ocean Bar, North Carolina, \$5,266,000;

West Columbus, Ohio, \$9,000,000;

Lackawanna River Greenway Corridor, Pennsylvania, \$2,000,000;

South Central Pennsylvania Environmental Restoration Infrastructure and Resource Protection Development Pilot Program, Pennsylvania, \$10,000,000;

Quonset Point-Davisville, Rhode Island (for 2 elevated water storage towers and the relocation of sewer lines), \$1,875,000;

Lake O' The Pines—Big Cypress Bayou, Texas, \$300,000;

Red River Basin Chloride Control, Texas and Oklahoma, \$4,000,000;

Wallisville Lake, Texas, \$1,000,000;

Richmond Filtration Plant, Virginia, \$1,000,000;

Southern West Virginia Environmental Restoration Infrastructure and Resource Protection Development Pilot Program, West Virginia, \$3,500,000; and

State Road and Ebner Coulees, LaCrosse and Shelby, Wisconsin, \$1,467,000;

Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$3,500,000 of available funds to initiate and complete construction of the Finn Revetment portion of the Red River Emergency Bank Protection, Arkansas and Louisiana, project: *Provided further*, That the Chief of Engineers is directed to use a fully funded contract for the construction of the Finn Revetment: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$3,500,000 of the funds appropriated herein to continue the Red River Levees and Bank Stabilization below Denison Dam, Arkansas, project, including the completion of studies to improve the stability of the levee system from Index, Arkansas, to the Louisiana stateline and the continuation of rehabilitation work underway: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to expend \$500,000 in fiscal year 1994 to initiate reconstruction of the Sacramento River floodwall between miles 58 and 60 of the Sacramento River, California, as an essential portion of the Sacramento Urban Levee Reconstruction project pursuant to the Sacramento River Flood Control Act of 1917, as amended, and the Local Cooperation Agreement signed on June 4, 1990: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, shall (1) use \$2,000,000 of the funds appropriated herein to carry out engineering and design for the location of the comfort and lifeguard stations on the Atlantic Coast of New York City from Rockaway Inlet to Norton Point, New York, project as authorized by section 1076 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 105 Stat. 2015), and (2) not later than one year after the date of enactment of this Act, report to Congress on the results of the expenditure of funds required under paragraph (1): *Provided further*,

That with \$2,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Bethel, Alaska, project authorized by Public Law 99-662, including but not limited to initiating lands and damages, erosion control construction, and continued related engineering and construction management: *Provided further*, That no fully allocated funding policy shall apply to the construction of the Bethel, Alaska, project: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$214,119,000 of the funds appropriated herein to continue the Lake Pontchartrain and Vicinity, Louisiana, Hurricane Protection project, including continued construction of parallel protection along the Orleans and London Avenue Outfall Canals and the award of continuing contracts for construction of this parallel protection under the same terms and conditions specified for such work under this heading in Public Law 102-377: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$450,000 of the funds appropriated herein to complete the repair and restoration to a safe condition of the existing Tulsa and West Tulsa local protection project, Oklahoma, authorized by the Flood Control Act of 1941, Public Law 73-228: *Provided further*, That with \$5,000,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate construction of the Pike County, Kentucky, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of the Public Law 96-367, with initial efforts concentrated in the communities of Buskirk and McCarr, in accordance with the Huntington District Commander's preliminary draft detailed project report for Pike County, Kentucky, dated March 1993, using continuing contracts: *Provided further*, That with \$700,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate construction, using continuing contracts, of the Williamsburg, Kentucky, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367, in accordance with Plan B of the approved draft specific project report for Williamsburg, Kentucky, dated April 1993: *Provided further*, That with \$19,300,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue to undertake structural and nonstructural work associated with the Harlan, Kentucky, and the Harlan, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of the Public Law 96-367, and is further directed to design and construct a system to collect and transport sewage from the unincorporated community of Rio Vista to the Harlan, Kentucky, treatment plant, as part of the Harlan, Kentucky, element: *Provided further*, That with \$5,365,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue to undertake structural and nonstructural work associated with the Matewan, West Virginia, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367: *Provided further*, That with \$3,500,000 of the funds

appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Hatfield Bottom, West Virginia, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367 using continuing contracts: *Provided further*, That no fully allocated funding policy shall apply to construction of the Matewan, West Virginia, Hatfield Bottom, West Virginia, Barbourville, Kentucky, and Harlan, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland river project: *Provided further*, That with \$1,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction, using continuing contracts, of the Salyersville, Kentucky, cut-through channels project: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate and complete construction of offshore breakwaters at Grand Isle, Louisiana, as an integral part of the repair of features of the Grand Isle and Vicinity, Louisiana, project damaged by Hurricane Andrew using funds previously appropriated for that purpose in the fiscal year 1992 Dire Emergency Supplemental Appropriations Act, Public Law 102-368, which are available for this work: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the section 14 bank stabilization program at McGregor Park in Clarksville, Tennessee, utilizing heretofore appropriated funds until the Federal funds limit of \$500,000 is reached or bank protection for the entire park is completed: *Provided further*, That using \$6,300,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue with the authorized Ouachita River Levees, Louisiana, project in an orderly but expeditious manner and within this amount, \$3,800,000 shall be used to continue rehabilitation or replacement of all deteriorated drainage structures which threaten the security of this critical protection, and \$2,500,000 shall be used to repair the river bank at Columbia, Louisiana, which is eroding and placing the project levee protecting the city in imminent danger of failure: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to utilize \$3,000,000 of the funds appropriated herein to provide design and construction assistance for a water transmission line from the northern part of Beaver Lake, Arkansas, into Benton and Washington Counties, Arkansas, as authorized by section 220 of Public Law 102-580; and in addition, \$145,000,000, to remain available until expended, is hereby appropriated for construction of the Red River Waterway, Mississippi River to Shreveport, Louisiana, project, as authorized by laws, and the Secretary of the Army is directed to continue the second phase of construction of Locks and Dams 4 and 5; complete construction of Howard Capout, McDade, Elm Grove, Cecile, Curtis, Sunny Point, and Eagle Bend Phase I and Phase II revetments in Pools 4 and 5, and levee modifications in Pool 5, all of which previously directed to be initiated; and award continuing contracts in fiscal year 1994 for construction of the following features of the Red River Waterway which are not to be considered fully funded: recreation facilities in Pools 4 and 5, Piermont/Nicholas and Sunny Point Capouts, Lock and Dam 4 Upstream

Dikes, Lock and Dam 5 Downstream Additional Control Structure, Wells Island Road Revetment, and construction dredging in Pool 4; all as authorized by laws, and the Secretary is further directed to provide annual reimbursement to the project's local sponsor for the Federal share of management costs for the Bayou Bodcau Mitigation Area as authorized by Public Law 101-640, the Water Resources Development Act of 1990

The SPEAKER pro tempore. Without objection, the motion is agreed to.

Mr. BURTON of Indiana. Mr. Speaker, I object.

Mr. BEVILL. Mr. Speaker, I yield to the gentleman from Indiana [Mr. BURTON] if he wishes to debate the motion.

Mr. BURTON of Indiana. Mr. Speaker, reserving the right to object, there are 32 specific projects that were either in the House or Senate bills. Are any of these new projects?

Mr. BEVILL. Mr. Speaker, they are all authorized.

Mr. BURTON of Indiana. I understand that, Mr. Speaker, but are any of them new projects?

Mr. BEVILL. They were either in the House or the Senate bill.

Mr. BURTON of Indiana. I understand that, Mr. Speaker, but I would just like to know if there are new projects, new from last year, and, if there are, I would just like to know what they are real quickly.

Mr. BEVILL. Some are continuations from last year, and some are new projects.

Mr. BURTON of Indiana. Can the gentleman from Alabama tell me how many new projects there are?

Mr. BEVILL. How many new projects are there?

Mr. BURTON of Indiana. I would just like to know.

Mr. BEVILL. Mr. Speaker, I would be happy to get that information for the gentleman. It is a mixture of both, and, if the gentleman will just wait, we can get that information for him.

Mr. Speaker, there are about eight new ones.

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Mr. BURTON of Indiana. They were authorized last year as well?

Mr. BEVILL. They have been authorized, every one of them.

Mr. BURTON of Indiana. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). Without objection, the motion is agreed to.

There was no objection.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 12: Page 9, line 20, after "programs" insert ": *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$5,000,000 of available funds to undertake and complete critical maintenance items for water supply of the Kentucky River Locks

and Dams 5-14 and to transfer such facilities to the Commonwealth of Kentucky: *Provided further*, That the Secretary of the Army is directed during fiscal year 1994 to maintain a minimum conservation pool level of 475.5 at Wister Lake in Oklahoma: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use Operation and Maintenance funds and complete, in coordination with the schedule for feasibility phase, studies to deepen the Columbia River navigation channel, long-term dredge disposal plans for the existing authorized Columbia River Navigation Channel project, including associated fish and wildlife studies.

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 12, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama [Mr. BEVILL].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 14: Page 12, after line 5, insert:

SEC. 106. In fiscal year 1994, the Secretary shall advertise for competitive bid at least 7,500,000 cubic yards of the hopper dredge volume accomplished with Government-owned dredges in fiscal year 1992.

Notwithstanding the provisions of this section, the Secretary is authorized to use the dredge fleet of the Corps of Engineers to undertake projects when industry does not perform as required by the contract specifications or when the bids are more than 25 percent in excess of what the Secretary determines to be a fair and reasonable estimated cost of a well equipped contractor doing the work or to respond to emergency requirements.

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 14, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama [Mr. BEVILL].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 15: Page 12, after line 5, insert:

SEC. 107. Notwithstanding any other provision of law, the Secretary of the Army, acting through the Chief of Engineers, is authorized to reprogram, obligate and expend

such additional sums as necessary to continue construction and cover anticipated contract earnings of any water resources project which received an appropriation or allowance for construction in or through an appropriations Act or resolution of a current or last preceding fiscal year, in order to prevent the termination of a contract or the delay of scheduled work.

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 15, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama [Mr. BEVILL].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 17: Page 12, after line 5, insert:

SEC. 109. (1) IN GENERAL.—The Secretary of the Army is authorized to convey to the City of Galveston, Texas, fee simple absolute title to a parcel of land containing approximately 605 acres known as the San Jacinto Disposal Area located on the east end of Galveston Island, Texas, in the W.A.A. Wallace Survey, A-647 and A-648, City of Galveston, Galveston County, Texas, being part of the old Fort Jacinto site, at the fair market value of such parcel to be determined in accordance with the provisions of paragraph (4). Such conveyance shall be made at the discretion of the Secretary of the Army upon the agreement of all interested parties.

(2) COMPENSATION FOR CONVEYANCE.—Upon receipt of compensation from the City of Galveston, the Secretary shall convey the parcel as described in paragraph (1). Such compensation shall include—

(A) conveyance to the Department of the Army of fee simple absolute title to a parcel of land containing approximately 564 acres on Pelican Island, Texas, in the Eneas Smith Survey, A-190, Pelican Island, City of Galveston, Galveston County, Texas, adjacent to property currently owned by the United States. The fair market value of such parcel will be determined in accordance with the provisions of paragraph (4); and

(B) payment to the United States of an amount equal to the difference in the fair market value of the parcel to be conveyed pursuant to paragraph (1) and the fair market value of the parcel to be conveyed pursuant to paragraph (2)(A).

(3) DISPOSITION OF SPOIL.—Costs of maintaining the Galveston Harbor and Channel will continue to be governed by the Local Cooperation Agreement between the United States of America and the City of Galveston dated October 18, 1973. Upon conveyance of the parcel described in paragraph (1), the Department of the Army shall be compensated directly for any anticipated costs which may be incurred in site preparation and in the disposition of spoil in excess of the present value of current costs of spoil disposition.

(4) DETERMINATION OF FAIR MARKET VALUE.—The fair market value of the land to be conveyed pursuant to paragraphs (1) and

(2) shall be determined by independent appraisers using the market value method.

(5) NAVIGATIONAL SERVITUDE.—Those portions of a 605-acre parcel of land known as the San Jacinto Disposal Area and more fully described in paragraph 1, supra, are declared to be nonnavigable waters of the United States.

(6) SURVEYS AND STUDIES.—The 605-acre parcel and the 564-acre parcel shall be surveyed and further legally described prior to conveyance. Not later than 60 days following enactment of this Act, if it deems it necessary, the Secretary of the Army shall complete a review of the applicability of section 404 of the Clean Water Act to the said parcels.

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 17 and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert:

SEC. 108. (a) IN GENERAL.—The Secretary of the Army is authorized to convey to the City of Galveston, Texas, fee simple absolute title to a parcel of land containing approximately 605 acres known as the San Jacinto Disposal Area located on the east end of Galveston Island, Texas, in the W.A.A. Wallace Survey, A-647 and A-648, City of Galveston, Galveston County, Texas, being part of the old Fort San Jacinto site, at the fair market value of such parcel to be determined in accordance with the provisions of subsection (d). Such conveyance shall only be made by the Secretary of the Army upon the agreement of the Secretary and the City as to all compensation due herein.

(b) COMPENSATION FOR CONVEYANCE.—Upon receipt of compensation from the City of Galveston, the Secretary shall convey the parcel as described in subsection (a). Such compensation shall include—

(1) conveyance to the Department of the Army of fee simple absolute title to a parcel of land containing approximately 564 acres on Pelican Island, Texas, in the Eneas Smith Survey, A-190, Pelican Island, City of Galveston, Galveston County, Texas, adjacent to property currently owned by the United States. The fair market value of such parcel will be determined in accordance with the provision of subsection (d); and

(2) payment to the United States of an amount equal to the difference of the fair market value of the parcel to be conveyed pursuant to subsection (a) and the fair market value of the parcel to be conveyed pursuant to paragraph (1) of this subsection.

(c) DISPOSITION OF SPOIL.—Costs of maintaining the Galveston Harbor and Channel will continue to be governed by the Local Cooperation Agreement (LCA) between the United States of America and the City of Galveston dated October 18, 1973, as amended. Upon conveyance of the parcel described in subsection (a), the Department of the Army shall be compensated directly for the present value of the total costs to the Department for disposal of dredge material and site preparation pursuant to the LCA, in excess of the present value of the total costs that would have been incurred if this conveyance had not been made.

(d) DETERMINATION OF FAIR MARKET VALUE.—The fair market value of the land to

be conveyed pursuant to subsections (a) and (b) shall be determined by independent appraisers using the market value method.

(e) NAVIGATIONAL SERVITUDE.—

(1) DECLARATION OF NONNAVIGABILITY; PUBLIC INTEREST.—Unless the Secretary finds, after consultation with local and regional public officials (including local and regional public planning organizations), that the proposed projects to be undertaken within the parcel described in subsection (a) are not in the public interest then, subject to paragraphs (2) and (3), such parcel is declared to be nonnavigable waters of the United States.

(2) LIMITS ON THE APPLICABILITY: REGULATORY REQUIREMENTS.—The declaration under paragraph (1) shall apply only to those parts of the parcel described in subsection (a) which are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina facilities. All such work is subject to all applicable Federal statutes and regulations including, but not limited to, sections 9 and 10 of the Act of March 3, 1899 (30 Stat. 1151; 33 U.S.C. 401 and 403), commonly known as the Rivers and Harbors Appropriations Act of 1899, section 404 of the Federal Water Pollution Control Act, and the National Environmental Policy Act of 1969.

(3) EXPIRATION DATE.—If, 20 years after the date of the enactment of this Act, any area or part thereof described in subsection (a) is not bulkheaded or filled or occupied by permanent structures, including marina facilities, in accordance with the requirements set out in paragraph (2), or if work in connection with any activity permitted in paragraph (2) is not commenced within 5 years after issuance of such permits, then the declaration of nonnavigability for such area or part thereof shall expire.

(f) SURVEY AND STUDY.—The 605-acre parcel and the 564-acre parcel shall be surveyed and further legally described prior to conveyance. Not later than 60 days following enactment of this Act, if he deems it necessary, the Secretary of the Army shall complete a review of the applicability of section 404 of the Federal Water Pollution Control Act to the said parcels.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama [Mr. BEVILL].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 20: Page 12, line 13, after "Act" insert "and for feasibility studies of alternatives to the Unitah and Upalco Units".

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 20, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama [Mr. BEVILL].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 22: Page 13, after line 2, insert:

In addition, for necessary expense incurred in carrying out responsibilities of the Secretary of the Interior under the Act, \$1,000,000, to remain available until expended.

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 22 and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama [Mr. BEVILL].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 29: Page 20, line 11, after "development" insert ", of which \$4,500,000 shall be derived by transfer from the Geothermal Resources Development Fund."

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 29, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama [Mr. BEVILL].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 30: Page 20, strike out lines 13 to 17 and insert:

For expenses of the Department of Energy in connection with operating expenses; the purchase, construction, and acquisition of plant and capital equipment and other expenses incidental thereto necessary for residual uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.) and the Energy Policy Act (Public Law 102-486, section 901), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of electricity as necessary and payment to the Tennessee Valley Authority under the settlement agreement filed with the United States Claims Court on December 18, 1987; purchase of passenger motor vehicles (not to exceed 5, of which 5 are for replacement only), \$247,092,000, to remain available until expended: *Provided*, That revenues received by the Department for residual uranium enrichment activities authorized by section 201 of Public Law 95-238, and esti-

mated to total \$70,000,000 in fiscal year 1994, shall be retained and used for the specific purpose of offsetting costs incurred by the Department for such activities, notwithstanding section 3302(b) of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced as revenues are received during fiscal year 1994 so as to result in a final fiscal year 1994 appropriation estimated at not more than \$177,092,000.

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 30, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama [Mr. BEVILL].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 31: Page 21, strike out all after line 1 down to and including "obligated" in line 4 and insert "and in addition, an estimated \$49,679,000 in unexpended balances, consisting of an estimated \$6,267,000 of unobligated balances and an estimated \$43,412,000 of obligated."

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the amendment is as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 31, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama [Mr. BEVILL].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 32: Page 21, line 6, after "expenses" insert "*Provided*, That at least \$40,600,000 of amounts derived from the fund for such expenses shall be expended in accordance with title X, Subtitle A of the Energy Policy Act of 1992."

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the amendment is as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 32, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama [Mr. BEVILL].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 33: Page 21, line 17, strike out "\$1,194,114,000" and insert "\$1,615,114,000".

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 33 and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

\$975,114,000, to remain available until expended, and, in addition, \$640,000,000, to remain available until expended, to be used only to orderly terminate the Superconducting Super Collider (SSC) project under terms and conditions as follows:

(1) to the extent provided by guidelines of the Secretary of Energy, full-time employees of contractors and designated subcontractors whose employment is terminated by reason of the termination of the SSC may receive (A) up to 90 days termination pay dating from the date of termination notice, and (B) reasonable relocation expenses and assistance;

(2) the Secretary of Energy shall prepare and submit a report with recommendations to the President and the Congress containing:

(a) a plan to maximize the value of the investment that has been made in the project and minimizing the loss to the United States and involved states and persons, including recommendations as to the feasibility of utilizing SSC assets in whole or in part in pursuit of an international high energy physics endeavor;

(b) the Secretary is authorized to consult with and use Universities Research Association and/or other contractors and/or recognized experts in preparing this report and recommendations and is authorized to contract with such parties as may be appropriate in carrying out such duties; and

(c) the Secretary shall release any recommendations from time to time as available, but the final report shall be submitted by July 1, 1994; and

(3) nothing herein or any action taken under this authority shall be construed to change the Memorandum of Understanding between the Secretary of Energy and the State of Texas dated November 9, 1990, regarding the project.

, and on page 21, line 17, of the House engrossed bill (H.R. 2445) strike all after "\$1,194,114,000" down to and including "expended" on line 18.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from Alabama [Mr. BEVILL] will be recognized for 30 minutes, and a Member opposed will be recognized for 30 minutes.

The Chair recognizes the gentleman from Alabama [Mr. BEVILL].

Mr. BEVILL. Mr. Speaker, I reserve my time.

The SPEAKER pro tempore. Is the gentleman from Indiana [Mr. BURTON] opposed to the motion?

Mr. BURTON of Indiana. Mr. Speaker, I am opposed.

The SPEAKER pro tempore. The gentleman from Indiana is recognized for 30 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, last year we spent approximately \$900 million for functions in the general science and research activities in the Department of Energy for things other than the superconducting super collider.

I understand that there is \$640 million that has been allocated to terminate the SSC by the conference committee. I think most Members of the body support that. But I have a question I would like to ask the chairman, the gentleman from Alabama [Mr. BEVILL], if I might engage him in a brief colloquy.

Mr. Speaker, I would ask the chairman, this is about 35 percent above the House-passed bill for this section, and it is 13 percent above last year. If you take out the amount of money for closing down the superconducting super collider, \$640 million, that leaves about \$975 million for the other functions of this department. That is about \$75 million above last year.

Mr. Speaker, I would ask the gentleman from Alabama [Mr. BEVILL], can he tell me what that extra \$75 million is being spent for?

Mr. BEVILL. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Alabama.

Mr. BEVILL. Mr. Speaker, it is mostly for the termination of the superconducting super collider, as well as the B-factory.

Mr. BURTON of Indiana. I am sorry, I just said that the \$640 million I am taking out of this. We know the \$640 million is for the SSC closure. We understand that. There is \$975 million for other functions. That is about \$75 million above last year.

Mr. BEVILL. Mr. Speaker, we had \$517 million last year, \$640 million this year, for the SSC.

Mr. BURTON of Indiana. I understand that.

Mr. BEVILL. Maybe I do not understand the gentleman's question.

Mr. BURTON of Indiana. Mr. Speaker, let me rephrase my question a little differently. If you take out the SSC last year and this year, total, there was \$90 million last year for other functions in the general science and research area in the Department of Energy. This year it is \$975 million. So it is \$75 million more this year than last year.

What I am asking is what was that \$75 million for?

Mr. BEVILL. Mr. Speaker, if the gentleman will yield further, the increase is for high energy physics operation, and \$36 million for the new facility called the B-factory.

Mr. BURTON of Indiana. B-factory?

Mr. BEVILL. B-factory.

Mr. BURTON of Indiana. Where is that located?

Mr. BEVILL. California.

Mr. BURTON of Indiana. What is the purpose of that facility?

Mr. BEVILL. Mr. Speaker, it is high energy physics research.

Mr. BURTON of Indiana. Is it a new project?

Mr. BEVILL. Yes, it is.

Mr. BURTON of Indiana. Was this authorized?

Mr. BEVILL. Yes, it is authorized.

Mr. BURTON of Indiana. It is \$36 million for a new project?

Mr. BEVILL. \$36 million, yes.

Mr. BURTON of Indiana. In California. Who requested that?

Mr. BEVILL. If the gentleman will continue to yield, it was requested by the Department of Energy.

Mr. BURTON of Indiana. Mr. Speaker, it just seems surprising to me if we are closing down the SSC, why we would be starting a new facility of this type down there. What is the function of that facility?

Mr. BEVILL. Mr. Speaker, if the gentleman will yield further, the total cost of this project is approximately \$300 million. This is for high energy research and was recommended by the U.S. Department of Energy and by the administration.

Mr. BURTON of Indiana. This is the first part, some \$30 million? How much did the gentleman say it would cost this year?

Mr. BEVILL. Mr. Speaker, \$36 million for construction, and another \$10 million or \$15 million will be used for research.

Mr. BURTON of Indiana. Where is it located in California?

Mr. BEVILL. Stanford University.

Mr. BURTON of Indiana. Mr. Speaker, reclaiming my time, I thank the gentleman for answering those questions.

Mr. Speaker, I guess the concern that I have is that at a time when we are having these fiscal problems, we need to be very, very careful about where we are spending taxpayer dollars. I doubt that anybody in the Chamber really knows where this \$75 million is going to be spent. I understand now that some \$30 million of it is the first part of a \$300 million expenditure for an energy facility there.

Mr. Speaker, I think before I could vote for that, I would have to know a little bit more about it. I will have to oppose this because of that.

Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana [Mr. MYERS].

Mr. MYERS of Indiana. Mr. Speaker, the gentleman from Indiana [Mr. BURTON] has asked a very legitimate question that all Members should have, and the chairman has answered it. Of course, \$133 million is the increase in

costs for termination of the SSC. The B-factory, which is to be built in California, is \$36 million. We have high energy physics here, including the Fermi Lab outside of Chicago, where we are increasing the capacity of the injector.

Mr. Speaker, if we are not going to do the project in Texas, there are some high energy physics programs that will have to be done somewhere else. We will not be able to do the same work in the Fermi Lab outside of Chicago that the Texas project would have done.

Nevertheless, we have had to increase some of these projects to keep up with world competition in research.

Mr. BURTON of Indiana. If the gentleman would yield, we took out the \$640 million this year and the \$517 million last year for the superconducting super collider.

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That left an increase of \$75 million. I checked with the staff so we have a \$75 million increase. He said that \$30 million was going to go for the facility in California.

Mr. MYERS of Indiana. Thirty-six million.

Mr. BURTON of Indiana. Mr. Speaker, that still leaves about \$39 million. I do not think many Members of the body are really familiar with these. And with us trying to economize by cutting out the super collider, which was the latest technology in scientific research, I am sure a lot of Members would want to question why we are going to spend \$36 million for another facility of a similar nature but smaller in California and for other research like this, when we are cutting out the super collider.

Mr. MYERS of Indiana. Mr. Speaker, if the gentleman will look in the committee report on pages 104, 105, and on down, it tells specifically, if the gentleman wants to get the specifics, of what programs have been increased. Some were cut back. Some were already completed. But much of it is high energy physics in this general category.

Mr. BURTON of Indiana. Mr. Speaker, the one in California is a new project, a new project for \$36 million.

Mr. MYERS of Indiana. Mr. Speaker, that is a new project. But the Fermilab in Chicago is not a new project. We have been working on it for quite some time. Plus we have been working on the B-factory. This is the first time that we have put construction money in for it, yes.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). All time has expired.

Pursuant to the order of the House today, the previous question is ordered on the motion.

The question is on the motion offered by the gentleman from Alabama [Mr. BEVILL].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURTON of Indiana. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 227, nays 190, not voting 16, as follows:

[Roll No. 527]

YEAS—227

Ackerman	Furse	Miller (CA)
Andrews (NJ)	Gallo	Mineta
Applegate	Gedjenson	Mink
Archer	Gibbons	Moakley
Armey	Gilman	Molinar
Bacchus (FL)	Gingrich	Mollohan
Bachus (AL)	Gonzalez	Montgomery
Baessler	Gordon	Moran
Baker (LA)	Grams	Morella
Ballenger	Greenwood	Murphy
Barlow	Gunderson	Murtha
Barton	Hamburg	Myers
Bateman	Hamilton	Nadler
Becerra	Hansen	Natcher
Bellenson	Harman	Neal (MA)
Bentley	Hastings	Neal (NC)
Bevill	Hayes	Oberstar
Bilbray	Hefner	Obey
Bishop	Hilliard	Oliver
Bliley	Hinchee	Ortiz
Boehrlert	Hoagland	Owens
Bonilla	Hochbrueckner	Pallone
Bonior	Hoekstra	Parker
Borski	Houghton	Pastor
Boucher	Hoyer	Pelosi
Brewster	Huffington	Peterson (FL)
Brooks	Hughes	Quinn
Browder	Hunter	Rahall
Brown (FL)	Hyde	Reed
Brown (OH)	Inslee	Richardson
Bunning	Istook	Rogers
Byrne	Johnson (SD)	Rowland
Callahan	Johnson, E. B.	Roybal-Allard
Calvert	Johnson, Sam	Rush
Cantwell	Kanjorski	Sabo
Cardin	Kennelly	Sarpallus
Carr	Kildee	Sawyer
Clayton	Klein	Schenk
Clinger	Kolbe	Schiff
Clyburn	Kopetski	Schumer
Coleman	Kreidler	Scott
Collins (IL)	LaFalce	Serrano
Collins (MI)	Lambert	Shays
Cooper	Lancaster	Shepherd
Coyne	Lantos	Shuster
Cramer	Laughlin	Skaggs
Darden	Lazio	Skeen
DeLauro	Lehman	Slattery
DeLay	Levin	Slaughter
Dellums	Lewis (GA)	Smith (IA)
Derrick	Lightfoot	Smith (NJ)
Deutsch	Livingston	Smith (TX)
Dicks	Lloyd	Snowe
Dixon	Long	Spratt
Dooley	Lowe	Stark
Durbin	Maloney	Stokes
Edwards (CA)	Mann	Studds
English (AZ)	Manton	Swift
English (OK)	Margolies-	Synar
Eshoo	Mezvinsky	Tanner
Everett	Markey	Tauzin
Farr	Martinez	Thornton
Fawell	Matsui	Torres
Fazio	Mazzoli	Unsoeld
Fields (LA)	McCandless	Velazquez
Fields (TX)	McCloskey	Vento
Filner	McCrery	Visclosky
Fingerhut	McDade	Volkmer
Fish	McDermott	Vucanovich
Flake	McNulty	Walsh
Ford (MI)	Meehan	Watt
Ford (TN)	Meek	Waxman
Frank (MA)	Michel	Whitten

Williams
Wilson
Wise

Wolf
Woolsey
Wynn

Yates
Young (FL)
Zimmer

NAYS—190

Allard	Hall (TX)	Pomeroy
Andrews (ME)	Hancock	Portman
Andrews (TX)	Hastert	Poshard
Baker (CA)	Hefley	Pryce (OH)
Barca	Herger	Quillen
Barcia	Hobson	Ramstad
Barrett (NE)	Hoke	Rangel
Barrett (WI)	Holden	Ravenel
Bartlett	Hutchinson	Regula
Bereuter	Hutto	Reynolds
Billirakis	Inglis	Roberts
Blute	Inhofe	Roemer
Boehner	Jacobs	Rohrabacher
Bryant	Jefferson	Ros-Lehtinen
Burton	Johnson (CT)	Roth
Buyer	Johnson (GA)	Roukema
Camp	Johnston	Royce
Canady	Kaptur	Sanders
Castle	Kasich	Sangmeister
Chapman	Kim	Santorum
Clay	King	Saxton
Coble	Kingston	Schaefer
Collins (GA)	Kleczka	Schroeder
Combest	Klink	Sensenbrenner
Condit	Klug	Sharp
Conyers	Knollenberg	Shaw
Coppersmith	Kyl	Sisisky
Costello	LaRocco	Skelton
Cox	Leach	Smith (MI)
Crane	Levy	Smith (OR)
Crapo	Lewis (CA)	Solomon
Cunningham	Lewis (FL)	Spence
Danner	Linder	Stearns
de la Garza	Lipinski	Stenholm
Deal	Machtley	Strickland
DeFazio	Manzullo	Stump
Diaz-Balart	McCollum	Stupak
Dickey	McCurdy	Sundquist
Doolittle	McHale	Swett
Dreier	McHugh	Talent
Duncan	McInnis	Taylor (MS)
Dunn	McKeon	Taylor (NC)
Edwards (TX)	McKinney	Tejeda
Emerson	McMillan	Thomas (CA)
Evans	Menendez	Thomas (WY)
Ewing	Meyers	Thompson
Foglietta	Mfume	Thurman
Fowler	Mica	Torkildsen
Franks (CT)	Miller (FL)	Torricelli
Franks (NJ)	Minge	Towns
Frost	Moorhead	Trafficant
Gallegly	Nussle	Tucker
Gekas	Orton	Upton
Geren	Oxley	Valentine
Gilchrest	Packard	Walker
Gillmor	Paxon	Washington
Glickman	Payne (NJ)	Waters
Goodlatte	Payne (VA)	Weldon
Goodling	Penny	Wheat
Goss	Peterson (MN)	Wyden
Grandy	Petri	Young (AK)
Green	Pickett	Zeliff
Gutierrez	Pickle	
Hall (OH)	Pombo	

NOT VOTING—16

Abercrombie	Dornan	Price (NC)
Berman	Engel	Ridge
Blackwell	Gephardt	Rose
Brown (CA)	Horn	Rostenkowski
Clement	Kennedy	
Dingell	Porter	

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Messrs. HOBSON, CHAPMAN, KNOLLENBERG, PORTMAN, SWETT, PACKARD, and BRYANT, Mrs. SCHROEDER, Messrs. MCCURDY, PAXON, WHEAT, THOMAS of Wyoming, and KIM, Ms. KAPTUR, and Messrs. ROHRABACHER, GOODLATTE, FOGLIETTA, and GUTIERREZ changed their vote from "yea" to "nay."

Mr. LIVINGSTON, Ms. MARGOLIES-MEZVINSKY, Mrs. CLAYTON, and Messrs. MURTHA, ROWLAND, SMITH

of Texas, and STOKES changed their vote from "nay" to "yea."

So the motion was agreed to. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 36: Page 22, strike out lines 4 to 22, and insert:

For the nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as amended, including the acquisition of real property or facility construction or expansion, \$260,000,000 to remain available until expended, to be derived from the Nuclear Waste Fund. To the extent that balances in the fund are not sufficient to cover amounts available for obligation in the account, the Secretary shall exercise her authority pursuant to section 302(e)(5) of said Act to issue obligations to the Secretary of the Treasury: *Provided*, That of the amount herein appropriated, within available funds, not to exceed \$5,500,000 may be provided to the State of Nevada, for the sole purpose of conduct of its scientific oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended: *Provided further*, That of the amount herein appropriated, not more than \$7,000,000 may be provided to affected local governments, as defined in the Act, to conduct appropriate activities pursuant to the Act: *Provided further*, That within ninety days of the completion of each Federal fiscal year, each State or local entity shall provide certification to the Department of Energy, that all funds expended from such payments have been expended for activities as defined in Public Law 97-425, as amended. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: *Provided further*, That none of the funds herein appropriated may be used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for any lobbying activity as provided in 18 U.S.C. 1913: *Provided further*, That none of the funds herein appropriated may be used for litigation expenses: *Provided further*, That none of the funds herein appropriated may be used to support multistate efforts or other coalition building activities inconsistent with the restrictions contained in this Act: *Provided further*, That none of the funds provided under this Act shall be made available for Phase II-B grants to study the feasibility of siting a Monitored Retrievable Storage Facility unless the Nuclear Waste Negotiator has first certified to the Secretary of Energy that there is a reasonable likelihood that agreement can be reached among all of the relevant governmental officials in the vicinity of any proposed site.

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. BEVILL moves that the House recede from its disagreement to the amendment of the Senate numbered 36 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert:

For the nuclear waste disposal activities to carry out the purposes of Public Law 97-425,

as amended, including the acquisition of real property or facility construction or expansion, \$260,000,000 to remain available until expended, to be derived from the Nuclear Waste Fund. To the extent that balances in the fund are not sufficient to cover amounts available for obligation in the account, the Secretary shall exercise her authority pursuant to section 302(e)(5) of said Act to issue obligations to the Secretary of the Treasury: *Provided*, That of the amount herein appropriated, within available funds, not to exceed \$5,500,000 may be provided to the State of Nevada, for the sole purpose of conduct of its scientific oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended: *Provided further*, That of the amount herein appropriated, not more than \$7,000,000 may be provided to affected local governments, as defined in the Act, to conduct appropriate activities pursuant to the Act: *Provided further*, That within ninety days of the completion of each Federal fiscal year, each State or local entity shall provide certification to the Department of Energy, that all funds expended from such payments have been expended for activities as defined in Public Law 97-425, as amended. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: *Provided further*, That none of the funds herein appropriated may be used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for any lobbying activity as provided in 18 U.S.C. 1913: *Provided further*, That none of the funds herein appropriated may be used for litigation expenses: *Provided further*, That none of the funds herein appropriated may be used to support multistate effects or other coalition building activities inconsistent with the restrictions contained in this Act: *Provided further*, That none of the funds provided under this Act shall be made available for Phase II-B grants to study the feasibility of siting a Monitored Retrievable Storage Facility.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama [Mr. BEVILL].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the final amendment in disagreement.

The text of the amendment is as follows:

Senate amendment No. 39: Page 24, line 7, after "expended" insert "": *Provided*, That a total of \$8,000,000 shall be transferred from this account to the Environmental Protection Agency for the implementation of the Waste Isolation Pilot Plan Land Withdrawal Act of 1992 and the development of cleanup standards to guide the Department of Energy's environmental restoration efforts".

MOTION OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. BEVILL moves that the House recedes from its disagreement to the amendment of the Senate numbered 39, and concur therein.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama [Mr. BEVILL].

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

CORRECTING TECHNICAL ERRORS IN ENROLLMENT OF H.R. 2403, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1994

Mr. HOYER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 48) to correct technical errors in the enrollment of the bill (H.R. 2403), and for other purposes, and ask for its immediate consideration in the House.

The SPEAKER pro tempore. The Clerk will report the Senate concurrent resolution.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 48

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (H.R. 2403), entitled "An Act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1994, and for other purposes" the Clerk of the House of Representatives is requested to make the following correction:

In the matter under the heading:

"GENERAL SERVICES ADMINISTRATION
FEDERAL BUILDINGS FUND

"LIMITATIONS ON AVAILABILITY OF REVENUE" under title IV under the heading "INDEPENDENT AGENCIES" strike out the following proviso: "": *Provided further*, That subject to the exceptions contained in the preceding proviso, in no case shall such funds be made available for any lease, line-item construction, repair, or alterations project referred to in the preceding proviso if prior to February 1, 1994, the lease, line-item construction, repair, or alterations project has been disapproved by the House Committee on Public Works and Transportation and the Senate Committee on Environment and Public Works" and insert in lieu thereof "": *Provided further*, That subject to the exceptions contained in the preceding proviso, in no case shall such funds be made available for any lease, line-item construction, repair, or alterations project referred to in the preceding proviso if prior to February 1, 1994, the lease, line-item construction, repair, or alterations project has been disapproved by the House Committee on Public Works and Transportation or the Senate Committee on Environment and Public Works".

Mr. LIGHTFOOT (during the reading). Mr. Speaker, I ask unanimous consent that the Senate concurrent resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). Is there objection to the request of the gentleman from Iowa?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Maryland?

Mr. LIGHTFOOT. Mr. Speaker, reserving the right to object, I yield to

the gentleman from Maryland [Mr. HOYER], chairman of the subcommittee, for an explanation of the resolution.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this simply changes an "and" to "or," so that either the House Committee on Public Works and Transportation or the Senate Committee on the Environment and Public Works prohibit the use of funds for the public works projects included in the Treasury-Postal Service and General Government appropriations bill for 1994.

Mr. LIGHTFOOT. Mr. Speaker, I thank the chairman for his explanation.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

NATIONAL BIOLOGICAL SURVEY ACT OF 1993

The SPEAKER pro tempore. Pursuant to House Resolution 262, and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1845.

□ 1449

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1845) to establish the Biological Survey in the Department of the Interior, with Mrs. MINK in the chair.

The Clerk read the title of the bill.

□ 1450

The Clerk will read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, October 6, 1993, the amendment offered by the gentleman from North Carolina [Mr. TAYLOR] had been disposed of and section 6 was open to certain amendments.

Are there further amendments to section 6?

Mr. STUDDS. Madam Chairman, I move to strike the last word.

Madam Chairman, I take this time solely to inform Members that with a little bit of luck we should be able to

move to the completion of this bill fairly expeditiously. We are aware of some 8 or 10 amendments, some of which we believe to be subject to a point of order, many of which, in fact most of which, we intend to support.

It is my hope, and I suspect this is shared by the other members of the committee on both sides of the aisle, that with just a modicum of self-restraint here we can move and surprise ourselves by how quickly we dispose of the bill.

Madam Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. TAUZIN

Mr. TAUZIN. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TAUZIN: In section 6, insert after subsection (b) the following (and redesignate the subsequent subsection accordingly):

(c) LIMITATION ON USE OF INFORMATION.—Information that is collected by the Survey from non-Federal real property may not be used by the Survey, and may not be provided by the Survey to any other person, unless—

(1) The Secretary has provided to the owner of the property—

(A) access to the information;

(B) a detailed description of the manner in which the information was collected; and

(C) an opportunity to dispute the accuracy of the information; and

(2) if the owner of the property disputes the information pursuant to subparagraph (C), the Secretary determines that the information is accurate.

Mr. TAUZIN (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. TAUZIN. Madam Chairman, this amendment is important in protecting the rights of the affected landowners who do allow the surveyors to enter their land and then later find that the information gathered by the survey may be either outdated or inaccurate. The amendment simply creates a safeguard to prevent inaccurate or outdated information from later being used by the agency, other than the Survey, in a manner that would cause them harm. It does no harm to the work of the Survey. It simply gives the right of appeal to the information and an opportunity to dispute that information with the Secretary and then to insure that the Secretary later actually is required to determine that the information is either correct or incorrect before any actions may flow from that Survey.

I would urge adoption of the amendment.

Mr. STUDDS. Madam Chairman, would the gentleman yield?

Mr. TAUZIN. I yield to the chairman.

Mr. STUDDS. I thank the gentleman for yielding.

Mr. Chairman, I would like to thank the gentleman for his revision of the

amendment, which makes it acceptable to us.

Mr. FIELDS of Texas. Madam Chairman, will the gentleman yield?

Mr. TAUZIN. I yield to the gentleman from Texas.

Mr. FIELDS of Texas. I thank the gentleman for yielding.

Madam Chairman, on the minority side we think the amendment is well reasoned and needed, and we are happy to accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. TAUZIN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROBERTS

Mr. ROBERTS. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBERTS: At the end of section 6, as amended by the Taylor Amendment, insert the following new subsection:

“(f) The Director shall notify in writing the relevant State and county committees established under section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)), or the successors to such committees, in a timely manner and prior to the Survey entering onto non-federal real property for which the State and county committee maintain records or have responsibility as provided in programs administered by the Secretary of Agriculture.

Mr. ROBERTS (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. ROBERTS. Madam Chairman, this amendment is relatively simple, it merely directs that the Director of the National Biological Survey shall notify the State Agricultural Stabilization and Conservation Service [ASCS] Committee and the county committee in a timely manner and prior to the survey [NBS] employees entry on non-Federal real property over which such State and county committees maintain records or have been delegated responsibilities under agricultural programs administered by the Secretary of Agriculture.

There are 15 Federal Agriculture Department plans that may be currently requested or carried out by farmers and ranchers on their lands under programs administered by the Secretary of Agriculture. Thus, farmers and ranchers and their lands are being planned, examined and studied extensively under several existing laws. The result is that these committees are extensively involved at the present time with conservation, environmental, and biological activities on farms and ranches operated by tenants and/or owners and held and maintained as non-Federal real property.

The purpose of this legislation is stated to be “to provide a national

focus for research and monitoring of America's biological and natural resources on an ecosystem bases” and as noted the Secretary of Agriculture administers several programs that are directly or indirectly related to the bill's purpose through these State and county committees. Notice of survey activities in the States and counties will be beneficial to the Department of Agriculture as well as the individual farm owners and/or operators who obtain much of the data about their soil, conservation practices et cetera from these State and county committees.

The Secretary of Agriculture or his representative will serve on the National Biological Survey Science Advisory Council created by this bill and no doubt U.S. Department of Agriculture agencies will be among those who may be requested to cooperate with the Director of the National Biological Survey.

This amendment will merely give the State ASCS committees and the county ASCS committees an opportunity to be aware and informed when non-Federal real property—millions of acres—for which they administer programs, is about to be subjected to a biological survey. The National Biological Survey should also provide information to the State and county committees as to what data it seeks and how the data will be used.

I urge the Members to support my amendment.

Madam Chairman, I submit the following material for inclusion in the RECORD.

COMMON USDA CONSERVATION/ ENVIRONMENTAL PLANS

The following are the primary USDA conservation or environmental plans:

1. Voluntary Conservation Plan—Resource Management System. SCS provides resource planning assistance upon request by a land owner or user. The plan is a set of landowner decisions that meet Field Office Technical Guide quality criteria for the safe use and management of soil, water, air, plant, and animal resources. The decisions reached as a result of the planning process are recorded in a conservation plan, which describes treatment needs and a schedule for implementation. A copy of this plan is provided to the customer.

2. Conservation Compliance Plan. This is a plan developed by a producer with the technical assistance of the Soil Conservation Service to meet the requirements of the Food Security Act. The plan is a record of decisions that describes treatment needs and a schedule for implementation. It is based on the Field Office technical Guide but addresses only soil erosion on highly erodible lands.

3. Conservation Reserve program plan (CRP). SCS helps CRP applicants develop specific conservation plans for acreage accepted into the program. The plan contains, as a minimum, the conservation practices required for establishment and maintenance of permanent vegetative cover over the 10-15 year contract period. Other specifics include, but are not limited to: (a) application schedule for practices, (b) cost-shared amounts, (c) a conservation plan map, (d) job sheets, (e) standards and specifications, and (f) maintenance of the vegetation. Before acceptance,

the plan must be signed by the participant, SCS technical representative, the soil conservation district, and the county ASCS committee representative.

4. **Agricultural Conservation Program (ACP).** Long-Term Agreement (LTA) plans are multi-year conservation plans developed by the land owner or user with technical and cost-share assistance authorized under the Agricultural Conservation Program (ACP). The participant requests planning assistance and describes the conservation and/or environmental problem occurring on the farm. SCS helps the participant determine the resource management system and practices required to bring soil loss and water quality to acceptable standards for all, or a portion, of the farm.

5. **Water Quality Incentives Project (WQIP) Plan.** With SCS assistance, land owners must develop Water Quality Resource Management Plans (WQRMP) to meet ASCS program requirements for achieving source reductions of agricultural pollutants for water quality purposes. This resource management plan includes an assessment of the resources and management and structural measures needed to achieve those reductions on an entire tract or tracts owned or operated by the applicant within a specified (watershed) project area. The plan typically includes management practices such as nutrient, pest, and animal waste management, conservation tillage, irrigation water management, and stripcropping. The plan is reviewed and approved by SCS and the local Conservation District, is consistent with conservation compliance goals, and becomes the basis for 3- to 5-year contracts with operators.

6. **Watershed Protection and Flood Prevention Act (P.L. 566) Land Treatment Watersheds.** Long-term contracts (LTCs) for P.L. 566 use the same policy and procedures as do those prepared for the Great Plains Conservation Program (see below), except that the P.L. 566 LTCs cover only the land operated by the participant and the specific problems identified in the watershed work plan. The work plan contains a list of conservation practices that address, typically, cropland problems. Treatment may or may not achieve the resource base protection level, depending on the workplan objections.

7. **Great Plains Conservation Program (GPCP) Planning Principles.** The GPCP Conservation Plan of Operations includes all the land in the participant's operating unit. The plan contains all the required practices, existing practices (if any) to be maintained, and new practices—some of which will be cost shared some will not. These new practices are scheduled for completion over a 3- to 10-year period. The plan, when signed by the contracting officer, becomes part of a legal and binding contract between the Federal Government and an individual farmer or rancher.

8. **Wetland Reserve Program (WRP).** The Wetlands Reserve Program Plan of Operations is developed by the landowner (WRP applicant) with assistance from the Soil Conservation Service, Fish and Wildlife Service, and possibly others. The plan calls for protection, restoration, and management of wetlands that are entered in the WRP. This plan of operation must be signed by the participant, FWS representative, SCS district conservationist, local conservation district, and ASCS.

9. **Water Bank Program.** The Water Bank Program is designed to preserve and improve the major wetlands as habitat for migratory waterfowl and other wildlife in designated

areas. The Soil Conservation Service assists the land user in developing a plan that reduces and conserves surface runoff, protects the soil from wind and water erosion, improves water quality, reduces flooding, promotes water management, and enhances the natural beauty of the landscape. Land owners sign 10-year, renewable agreements.

10. **Integrated Farm Management Program.** The Integrated Farm Management Program Option Plan is administered by ASCS with technical assistance provided primarily by SCS. The objective of the program is to improve and conserve soil and water on farms. Plans prescribe Resource Conservation Crops (RCC) rotations, tillage systems, soil conservation practices, nutrient management strategies, integrated pest management strategies, animal waste systems, and health and safety considerations. The 3- to 5-year, renewable contracts contain elements that address (a) the specific acreage and crop bases enrolled; (b) acreage and location of the RCC per year, and (c) scheduling of practices for implementation, improvement, and maintenance of the RCC.

11. **Colorado River Salinity Control Program Plans.** SCS helps applications for the Colorado River Basin Salinity Control Program develop salinity control plans for eligible land. The plan specifies the salinity reduction practices that are the most cost-effective for: (1) Reducing salt loading from a unit of land; (2) reducing erosion or seepage to a degree which significantly benefits salinity control; and (3) voluntarily replacing incidental fish and wildlife values foregone. The salinity control plan also includes a schedule of completion dates for installation of the salinity reduction practices and the specifications of such practices.

12. **Wetlands Restoration/Mitigation Plans.** These plans are developed, generally with the assistance of the Soil Conservation Service, to restore all of a converted wetland's functions and values or to mitigate the losses of wetland's functions and values caused by a conversion activity. These plans must be approved by the SCS and the Fish and Wildlife Service and be fully implemented within 12 months for a farmer to regain eligibility for USDA benefits.

13. **Rural Clean Water Program (RCWP) Plans.** This ten year experimental program, initiated in 1980, was designed to address agricultural nonpoint source pollutants for the improvement of water quality. There are 21 projects nationwide where site specific RCWP plans were developed to reduce agricultural pollutant loads to surface and ground waters using both structural and non-structural practices. No new plans are being developed and an evaluation of this program is underway.

14. **Rural Abandoned Mine Program (RAM) Plans.** The RAMP Plan of Operation is developed by the landowner with assistance from SCS. The plan contains all the required practices necessary to stabilize the abandoned coal mined land to agricultural uses. These practices are scheduled for completion according to a specific, 5- to 10-year period. The plan, when signed by the contracting office, becomes a part of a legal and binding contract between the Federal Government and the landowner.

15. **Stewardship Incentive Program.** The Stewardship program encourages and assists owners of private forest land. The stewardship plan is an action-oriented, multidisciplinary document that includes landowners objectives, records the resource management decisions, and recommends resource practices. The plan considers fish and wildlife

habitat, enhancement of threatened and endangered species, soil and water resources, wetlands, recreation and esthetics, and timber management and harvesting. The stewardship plan is developed by the Division of Forestry, however, existing Voluntary Conservation Plan (SCS) and Tree Farm Plans (American Forest Foundation) are acceptable stewardship plans.

Mr. STUDDS. Madam Chairman, will the gentleman yield?

Mr. ROBERTS. I yield to the chairman of the committee.

Mr. STUDDS. I thank the gentleman for yielding.

Madam Chairman, we are perfectly happy to accept the amendment.

Mr. FIELDS of Texas. Madam Chairman, will the gentleman yield?

Mr. ROBERTS. I yield to the gentleman from Texas.

Mr. FIELDS of Texas. I thank the gentleman for yielding.

Madam Chairman, we on the minority side have had the opportunity to review the amendment. We think it is a good amendment, and I am happy to accept the amendment offered by my good friend.

Mr. ROBERTS. I thank the gentlemen for their support, and I ask for adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. ROBERTS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HAYES

Mr. HAYES. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HAYES: In section 6 insert after subsection (b) the following (and redesignate the subsequent subsection accordingly):

(c) **IMMUNITY FROM CIVIL LIABILITY.**—The owner of privately-owned property is not liable for any costs, fees, or damages under any State or Federal law for any injury incurred by a person in performing any activity on the property as an officer, employee, or agent of the Survey (including the performance of an activity pursuant to a contract or cooperative agreement with the Survey), other than an injury caused by the gross negligence or willful misconduct of the owner.

Mr. HAYES (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HAYES. Madam Chairman, the language of this particular amendment involving civil liability for private landowners has been shown to the chairman of the committee as well as the ranking member of the minority, and it simply says that the private landowner is not responsible for the actual missions of the persons on their property in conjunction with the taking of the biological survey with the sole exception of gross negligence or willful misconduct. That is language which we have agreed to and which I

believe the chairman is accommodating and willing to accept.

Mr. STUDDS. Madam Chairman, will the gentleman yield?

Mr. HAYES. I yield to the chairman of the committee.

Mr. STUDDS. I thank the gentleman for yielding.

Madam Chairman, the gentleman is correct, and we are delighted to accept his amendment.

Mr. FIELDS of Texas. Madam Chairman, will the gentleman yield?

Mr. HAYES. I yield to the gentleman from Texas.

Mr. FIELDS of Texas. I thank the gentleman for yielding.

Madam Chairman, as with the other amendments, we have had the opportunity on the minority side to review the amendment. We think the amendment has merit, and we are happy to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. HAYES].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to section 6?

If not, the Clerk will designate section 7.

The text of section 7 is as follows:

SEC. 7. DEFINITIONS.

As used in this Act—

(1) the term "Assistant Secretary" means the Assistant Secretary for Fish and Wildlife of the Department of the Interior established under section 3 of the Fish and Wildlife Act of 1956 (16 U.S.C. 742b);

(2) the term "biological resources" means plants, fish, invertebrates, and wildlife, and the terrestrial, aquatic, and marine ecosystems in which they occur;

(3) the term "Director" means the Director of the National Biological Survey appointed under section 3(b);

(4) the term "Secretary" means the Secretary of the Interior;

(5) the term "Survey" means the National Biological Survey established under this Act; and

(6) the term "Tribal government" means the government of any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

The CHAIRMAN. Are there amendments to section 7?

AMENDMENT OFFERED BY MR. TAUZIN

Mr. TAUZIN. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TAUZIN: Delete Section 7(2) and insert the following:

"(2) the term 'biological resources' means plants, fish, invertebrates, and wildlife inhabiting terrestrial, aquatic, and marine ecosystems."

Mr. TAUZIN. Madam Chairman, I would hope that the Members pay close attention to the definition of the term "biological resources." The term is

used throughout the act. The National Biological Survey will be collecting and analyzing data about biological resources. The definition in the substitute bill is different from the definition adopted in the Merchant Marine and Fisheries Committee and the Natural Resources Committee. In the Merchant Marine and Fisheries draft, there was no definition of that term in the draft bill presented to the committee. In the Natural Resources Committee report, the term is defined as "plants, fish, invertebrates, and wildlife inhabiting terrestrial, aquatic, and marine ecosystems." The ecosystems themselves are not part of the definition of biological resources.

In the substitute that is before the House, the word "and" has been strategically placed so that biological resources now include not only the plants, fish, invertebrates, and wildlife, but also the terrestrial, aquatic, and marine ecosystems in which they occur. This means that land, water, and air are now biological resources.

I would amend the definition so that the definition adopted by the committees of jurisdiction is the controlling definition. This means that only the animals, plants, fish, and wildlife are considered to be the biological resources, and not the ecosystems in which they occur.

Mr. STUDDS. Madam Chairman, will the gentleman yield?

Mr. TAUZIN. I yield to the chairman.

Mr. STUDDS. I thank the gentleman for yielding.

Let me say to the gentleman I am aware that the concern caused the gentleman by the original definition in the bill, and although it was not the intention, as I understand it, of the drafters of the bill to suggest anything that might legitimately raise a concern, the gentleman's concern nonetheless was real and the way he has redrafted it so far as I know is consistent with the original intent, and I am happy to support the amendment.

Mr. FIELDS of Texas. Madam Chairman, will the gentleman yield?

Mr. TAUZIN. I yield to the gentleman from Texas.

Mr. FIELDS of Texas. I thank the gentleman for yielding.

Madam Chairman, as I understand this amendment, what it does is clarify what the real definition is and explains more fully what the real scope is of this legislation. Is that correct?

Mr. TAUZIN. The gentleman from Texas is abundantly correct. It clarifies and defines this bill as being true biological resources to be surveyed.

Mr. FIELDS of Texas. Well, if the gentleman will yield further, on the minority side we have no objection to this amendment and urge its passage.

Mr. TAUZIN. I thank the gentleman from Massachusetts and the gentleman from Texas.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. TAUZIN].

The amendment was agreed to.

□ 1500

The CHAIRMAN. Are there further amendments to section 7?

If not, the Clerk will designate section 8.

The text of section 8 is as follows:

SEC. 8. CONFORMING AMENDMENTS.

(a) TITLE 5.—Section 5316 of title 5, United States Code, is amended by inserting after the item relating to the Director, United States Fish and Wildlife Service, Department of the Interior, the following:

"Director of the National Biological Survey, Department of the Interior."

(b) NATIONAL WETLANDS INVENTORY.—Section 401(a) of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3931(a)) is amended—

(1) by striking "the United States Fish and Wildlife Service" and inserting "the National Biological Survey"; and

(2) in paragraph (1) by striking "the Service" and inserting "the National Biological Survey".

(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall take effect on the date that is 90 days after the date of the enactment of this Act, or such earlier date as is specified by the Secretary for purposes of section 3(b)(2)(H).

The CHAIRMAN. Are there any amendments to section 8?

If not, the Clerk will designate section 9.

The text of section 9 is as follows:

SEC. 9. AUTHORIZATION AND REPORTS.

(a) CURRENT AUTHORIZATION.—

(1) FISCAL YEAR 1994.—For the fiscal year 1994, there are hereby authorized to be appropriated not to exceed \$180,000,000 in order to carry out the purposes and provisions of this Act.

(2) FISCAL YEARS 1995, 1996, 1997.—For fiscal years 1995, 1996, and 1997, there are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes and provisions of this Act.

(b) FUTURE AUTHORIZATIONS.—After January 1, 1998, no amounts shall be appropriated to carry out any program, function, or activity of the Survey under this or any other Act unless such amounts have been authorized to be appropriated by one or more Acts of Congress enacted after the date of enactment of this Act.

(c) PERIODIC REPORTS AND PROPOSALS.—

AMENDMENT OFFERED BY MR. WALKER

Mr. WALKER. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALKER: Strike subsections (a) and (b) of section 9 of the amendment and insert the following:

(a) CURRENT AUTHORIZATIONS.—There are authorized to be appropriated—

(1) for Fiscal Year 1994, an amount not to exceed \$170,319,000; and

(2) for Fiscal Year 1995, such sums as may be necessary to carry out the purposes of this Act.

(b) FUTURE AUTHORIZATIONS.—After September 30, 1995, no amounts shall be appropriated to carry out any program, function, or activity of the Survey unless those amounts have been authorized to be appropriated by an Act of Congress.

Mr. WALKER (during the reading). Madam Chairman, I ask unanimous

consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALKER. Madam Chairman, I offer this amendment on behalf of myself and the gentleman from Texas [Mr. FIELDS].

The \$170,319,000 authorization is based on the fiscal year 1994 appropriation for the National Biological Survey and the national wetlands inventory.

This figure represents a 20-percent increase over existing funding for these programs. There are other pressing needs in the Department of the Interior for management and stewardship of public lands which are not addressed in this legislation.

For example, the National Academy of Sciences issued a study last year expressing grave concern about the ability of the National Park Service to manage its resources effectively. Instead of addressing these needs, resources are being put into the National Biological Survey.

I am concerned that other research and management responsibilities within the Department will suffer.

Limiting the authorization to 2 years gives Congress the opportunity to assess the National Biological Survey and exercise its oversight responsibilities.

Essentially what we are doing here is cutting back a little bit of money, placing a limit on the funding, assuring that the authorization is sure enough that we can do it the right way.

I think we have agreement on this amendment. I am hopeful that we can move it quickly.

Mr. FIELDS of Texas. Madam Chairman, will the gentleman yield?

Mr. WALKER. I am happy to yield to the gentleman from Texas.

Mr. FIELDS of Texas. Madam Chairman, I appreciate the gentleman yielding to me.

Madam Chairman, this amendment is very simple, yet very important. It would limit authorization for the survey to 2 fiscal years, 1994 and 1995.

I believe that we ought to take a very cautious attitude toward this survey until we have had the opportunity to review how it works, what impact it has on other agencies, and whether it really is a good idea. As we all too well know, sometimes an idea that seems to be good on paper turns out otherwise.

This amendment would allow the Survey 2 years to get organized. After that time Congress would have the opportunity to reexamine the Survey during the authorization process to determine whether the funding levels are adequate and whether the Survey deserves to be reauthorized at all. In the interim the committee will have the opportunity to conduct oversight hearings to determine the progress of the Survey.

For those who support this bill wholeheartedly my amendment does no harm. For those who are sceptical about it, my amendment will allow us the opportunity to revisit it next year.

I urge my colleagues to support the amendment.

Mr. WALKER. Madam Chairman, I want to thank the gentleman and his staff for working closely with us and helping us to craft this amendment and helping us come to the point where maybe we can be in agreement.

Mr. STUDDS. Madam Chairman, will the gentleman yield?

Mr. WALKER. I am happy to yield to the gentleman from Massachusetts.

Mr. STUDDS. Madam Chairman, I thank the gentleman for yielding to me.

Madam Chairman, I think this amendment is a reasonable one. I think it asks for us to take a look again in 2 years and it obviously reflects, as I suspect the gentleman just indicated, the amounts in the current appropriations process.

I would make one observation to my very good friend, the gentleman from Texas. In accepting this amendment of his jointly with the gentleman from Pennsylvania to reduce the sums in the bill, I must be in error here. My staff has just been given an amendment that the gentleman intends to offer later to increase the authorization again? That could not be, could it?

In any event, Madam Chairman, I support this amendment.

Mr. WALKER. Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to section 9?

If not, the Clerk will designate section 10.

The text of section 10 is as follows:

SEC. 10. RELATIONSHIP TO OTHER LAWS.

Except as provided in sections 3(b)(2)(I), 5(a), and 8, this Act shall not be construed to amend, repeal, supersede, or otherwise affect any other law.

The CHAIRMAN. Are there any amendments to section 10?

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: At the end of the bill, add the following new sections:

SEC. . COMPLIANCE WITH BUY AMERICAN ACT

No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the "Buy American Act").

SEC. . SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any

equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Director of the National Biological Survey shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. . PROHIBITION OF CONTRACTS.

If it has been finally determined by a court or Federal agency that any person intentionally affixed a fraudulent label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that was not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in section 9.400 through 9.409 of title 48, Code of Federal Regulations.

Mr. TRAFICANT (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objections.

Mr. TRAFICANT. Madam Chairman, this is a Buy American amendment. It requires notice to those individuals who receive any assistance under the act.

It also has a section that deals with prohibition of contracts whenever a product sold or shipped in the United States, but not made in the United States, was in fact given a label that would lead one to believe that it was made in America.

Mr. STUDDS. Madam Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Massachusetts.

Mr. STUDDS. Madam Chairman, surprised as we are by this amendment, we are delighted to accept it.

Mr. FIELDS of Texas. Madam Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the ranking member, the gentleman from Texas.

Mr. FIELDS of Texas. Madam Chairman, I appreciate the gentleman yielding to me.

As always, the gentleman comes to the floor and makes a very good argument, a very strong argument.

On the minority side, we are happy to support the gentleman's amendment.

Mr. YOUNG of Alaska. Madam Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Madam Chairman, I thank the gentleman for yielding to me, and thank him for his amendment.

I would also like to suggest, these amendments are well and good, but until this country starts utilizing its manufacturing base and getting our workers back to work in our factories, until we start utilizing our resources, our minerals, our timber, and our lands and our agricultural capability like it says up above here, above the Speaker's chair, there will not be any jobs in America.

Madam Chairman, it is time for this Congress to wake up. There is only one real dollar, one new real dollar, and that comes from this Earth.

Every day I sit in the committee that I sit on, not this committee, not the Committee on Merchant Marine and Fisheries, every day I sit in the committee we take and buy more land and put it off the productive level. We take it off the tax rolls. We create parks and refuges and wilderness areas, but they create no dollars for the American worker. The man in the factory does not use those areas. He does not have a job.

I want to compliment the gentleman for the amendment, but this Congress has a responsibility to start understanding one thing. Talk does not create jobs. Mining does.

Mining creates jobs, trees create jobs, farming creates jobs, and American factories create jobs. That is what we should be addressing in this Congress.

Mr. TRAFICANT. Reclaiming my time, Madam Chairman, I would like to say, I agree with the gentleman, but there is one other thing that will create some jobs, and that is some reasonable policies and laws to give the American worker and the manufacturing infrastructure a chance.

So I agree with what the gentleman is saying and commend the gentleman for his leadership.

Madam Chairman, I yield back the balance of my time.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair will remind all persons in the Gallery that they are here as guests of the House and that any manifestations of approval or disapproval of the proceedings is in violation of the rules of the House.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to section 10?

AMENDMENT OFFERED BY MR. TAUZIN

Mr. TAUZIN. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TAUZIN: At the end of the bill add the following:

SEC. . PRIVATE PROPERTY OWNER PROTECTION.

(a) PROHIBITION ON TAKINGS.—An action under this Act is not authorized if it constitutes a taking of private property under Article V of the Constitution.

(b) COMPENSATION FOR REDUCTION IN FAIR MARKET VALUE OF PROPERTY.—

(1) COMPENSATION REQUIRED.—The Secretary of the Interior shall, subject to subsection (c), compensate the owner of any privately-owned real property or interest in real property (including any proprietary water right, servitude, or easement) the fair market value of which is reduced 50 percent or more as a result of any limitation on use of the property resulting from any final qualified agency action, if requested by the owner of the property of interest.

(2) FORM OF COMPENSATION.—Compensation under paragraph (1) may be in the form of—

(A) payment of an amount equal to the reduction in value; or

(B) conveyance of property or an interest in property having a value equal to the reduction in value; as that form is agreed to by the Secretary and the owner.

(c) ACQUISITION OF PROPERTY BY UNITED STATES.—

(1) IN GENERAL.—In lieu of compensation required under subsection (b), the owner of any property or interest described in that subsection may request the Secretary to acquire the property or interest.

(2) CONSIDERATION.—If requested under paragraph (1) by the owner, the Secretary shall acquire the property or interest by providing to the owner consideration in the form of—

(A) payment of an amount equal to the fair market value of the property or interest on the day before the date of the final qualified agency action with respect to which the property or interest is acquired; or

(B) conveyance of real property or an interest in real property having a fair market value equal to that amount; as that form is agreed to by the Secretary and the owner.

(d) FUNDING.—

(1) REQUIREMENTS SUBJECT TO APPROPRIATIONS.—The requirements to pay compensation under subsection (b) and acquire property under subsection (c) are subject to the availability of appropriations.

(2) USE OF FUND.—Notwithstanding any other law, amounts in the Land and Water Conservation Fund may be used by the Secretary for—

(A) compensation required under subsection (b); and

(B) acquisitions of property and interests required under subsection (c).

(e) OTHER RIGHTS PRESERVED.—This section shall not be construed to preempt, alter, or limit the availability of any remedy for the taking of private property or an interest in private property that is available under the Constitution or any other law.

(f) DEFINITIONS.—In this subsection—

(1) the term "Land and Water Conservation Fund" means the fund established in section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-5); and

(2) the term "qualified agency action" means an agency action (as that term is defined in section 551(13) of title 5, United States Code) that is—

(A)(i) under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); or

(ii) under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(B) based on data, information, or research developed by the Survey.

Mr. TAUZIN (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. STUDDS. Madam Chairman, I reserve a point of order against the amendment.

Mr. TAUZIN. Madam Chairman, this amendment does not specifically address the issue of takings, as it has been described by some in their communications with Members. It simply provides a new remedy where property has in fact been substantially devalued as a result of a decision under the Endangered Species Act, section 404 of the Clean Waters Act, the Wetlands Regulatory Program.

It allows in fact the use of the Land and Water Conservation Fund to compensate property owners for the loss of their property under the limited circumstances where in fact the property has been devalued by as much as 50 percent or more before this remedy could be made available.

All of the remedies would be retained, including the traditional Claims Court suits for the takings.

Under the fifth amendment the types of actions that would trigger this remedy include final agency actions to deny a section 404 wetlands permit property placed within a critical habitat designation that could not be used, and orders which restrict the use of private lands under the Endangered Species Act.

The remedy could be used for land acquisition or for the acquisition of habitat easements by the Department of the Interior.

Madam Chairman, the horrible truth is that the Land and Water Conservation Fund which is used to purchase private lands for public uses is being currently used today in a manner which gives no priority to lands which have been devalued by regulatory actions of the Federal Government.

In fact, the land and water acquisition fund in fact places no priority on those lands, in fact will buy other lands before these lands on the theory that the Government does not really need to acquire land that has been regulated to death, it already owns it in effect. That is a horrible, pernicious way to reward private property in America.

The Secretary of the Interior testifying before our committee on the issue of regulations which devalue personal private property testified that perhaps the best way to deal with this issue was to use the land and water conservation fund to actually purchase lands that are heavily burdened with Federal regulations, such as wetland laws or endangered species laws.

□ 1510

Madam Chairman, that is all this amendment does. It simply says that those lands should be given priority in Federal acquisition. It seems to me that, when the Federal Government comes along with a regulation designed

for the public good that takes away the majority of the use of a person's private property, that property ought to be a high priority for Federal acquisition. That is, in fact, the property we ought to be acquiring for the public good.

Instead, under the current criteria established by the agency, that land is the last priority because the Government knows something that my colleagues and I know, and the Government's regulations take away most of the use of the property; the public really has taken it, has actually taken it for public purposes, and, in fact, the private landowner has been denied the use of his land and, therefore, the true ownership of his land.

All we do with this amendment is say that when that occurs, that property ought to be a high priority for acquisition, not a low priority under the pernicious interpretation of the current agency decisions. All we say in this amendment is, when the Government actively takes someone's property by restricting it to death, that that property ought to be high on the list of Federal acquisition so that the landowner can get compensation as provided in the fifth amendment of our Constitution.

I will quote it for my colleagues, for the RECORD, for those who may not remember it. The fifth amendment in its last line says that private property shall not be taken for public purposes without just compensation. That is an exact quote, that is an exact quote. It does not say, "unless that property is a wetland." It does not say, "unless that property has a substantially threatened or endangered species on it." It says that when the Government comes along and takes someone's private property and converts it into public use for any good public purpose, that they are entitled to compensation in America.

Madam Chairman, all we do in this amendment is establish that the land and water conservation fund ought to be used to carry out that very important constitutional protection. All we say is that that property ought not be last on the list for acquisition; it ought to be on top of the list for acquisition.

Madam Chairman, I would urge that this amendment be adopted. I realize a point of order has been reserved against it, and the point of order will probably be made. But let me say something:

If when we survey the biological resources of America, if we cannot provide some balance here to make sure that private property rights under the fifth amendment are respected and that public funds in the land and water conservation fund are used to compensate landowners who are deprived of the use and value of their property as a result of all the public good we do in protecting wetlands and endangered

species, then, my fellow Americans, we are not respecting the constitutional basis upon which that fifth amendment gives us all protection in the private protections of our private property.

Madam Chairman, I suggest that this amendment is critical to this survey, and, regardless of what the Parliamentarian may rule, it ought to be part of this survey, as it ought to be part of every Federal act that regulates private property.

The CHAIRMAN. The time of the gentleman from Louisiana [Mr. TAUZIN] has expired.

Does the gentleman from Massachusetts [Mr. STUDDS] wish to pursue his point of order?

Mr. STUDDS. I do, Madam Chairman.

POINT OF ORDER

The CHAIRMAN. The gentleman from Massachusetts is recognized on his point of order.

Mr. STUDDS. Madam Chairman, I make a point of order that under clause 7 of rule XVI the amendment offered by the gentleman from Louisiana [Mr. TAUZIN] is not germane to the bill.

Madam Chairman, the important, but very narrow, mission of the National Biological Survey has been explained repeatedly during the course of this floor debate. The amendment is clearly not germane to this bill. The National Biological Survey is not a regulatory agency and has no control whatsoever on how or even whether any agency uses the science or the data generated by the National Biological Survey. The bill does not address at all how or even whether data collected by the survey will be used.

Madam Chairman, this amendment attempts to tie the use of the biological survey science in a regulatory context to a hypothetical reduction of property value. If information generated by the survey is used for wetlands or endangered species, regulatory purposes, and if that regulatory decision causes a greater than 50 percent reduction in the fair market value of the private property, then the Secretary, according to the amendment, shall compensate the landowner.

I would simply note that the amendment establishes a standard for determining when the loss of property rights is compensable and lays out the method and process for providing such compensation, and, however fascinating and interesting those matters may be, and I agree that they are substantively important policy issues, they have nothing whatever to do with the subject matter of the fundamental purpose of H.R. 1845.

For that reason, Madam Chairman, I press the point of order.

The CHAIRMAN. Does the gentleman from Louisiana wish to be heard on the point of order?

Mr. TAUZIN. I would like to be heard on the point of order, Madam Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana.

Mr. TAUZIN. Madam Chairman, if this survey has any value at all, if we are to spend the many millions of dollars that we propose to spend on survey plants and animals across America, it is for the purpose of all of our regulatory statutes, it is for the purpose of affecting the Endangered Species Act, and it is for the purpose of affecting the wetlands regulatory programs and others that we have outlined earlier in this debate on the previous day, and it is for that reason we are going to do this survey and, if this survey does, in fact, result in taking and diminutions of property value, this bill ought to provide a mechanism by which those landowners can seek compensation from the Federal water and land conservation fund.

Now I do not think there is anything more germane than this amendment to a National Biological Survey, than the question of how that survey is going to be used and what effects are going to flow to private land property ownership in America. I would suggest that it not only is germane, but it is probably the most important language that ought to be added on to a National Biological Survey bill.

I say to my colleagues, "You would not believe, from the arguments that are being made against this amendment and against the amendment we are going to propose after this one, that the human species is not a carbon-based entity any longer, that we are not related to the biological species that occupy this planet, but the effects upon human beings are not even going to be considered when we are doing national biological surveys."

Well, let me inform this House and this Nation that, as far as I know, we have not reversed the Scopes trial. As far as I know, we are carbon-based, not silicon-based entities, we are related to the plants and animals on this planet, and the position of human beings occupying private property in this country is very important when we survey biological entities and when that survey results in important management decisions affecting that private property and the private lives of these biological species that we call human beings.

It seems to be that to rule this non-germane is to say we have no part on this planet in this country as biological entities and that our right to exist on the private property guaranteed under the Constitution to every single member of our Nation is going to be denied to us if a biological survey considers us nongermane, nonrelated, not-in-existence, if my colleagues will, in regard to the counting of biological life as it exists in our country.

The CHAIRMAN. Does the gentleman from Texas [Mr. FIELDS] wish to address the House on the point of order?

Mr. FIELDS of Texas. Yes; I do, Madam Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Texas.

Mr. FIELDS of Texas. Madam Chairman, I think the amendment offered by the gentleman from Louisiana [Mr. TAUZIN] is germane for many reasons.

First of all, Madam Chairman, this amendment would prohibit any action under the act if it would result in a taking of private property, directly relative to the piece of legislation we are debating. This amendment would also provide for compensation to the property owner if the fair market value of the property is diminished by 50 percent or more as a result of a limitation on property use because of action taken under section 404 of the Clean Water Act, the Endangered Species Act due to information from the Survey, which is the subject matter of the debate before the House.

The Secretary and the landowner have a variety of options to use when it comes to compensation. Also, such compensation would be funded by the land and water conservation fund.

I think the House made great strides earlier toward restoring the faith of the American people in the Government when we approved private property rights protections earlier during consideration of this legislation. This amendment builds upon the amendment already accepted by the House by assuring Americans that they will be compensated if Government regulations cause them to lose the value of their property, and, if we are to succeed in protecting and preserving the environment, we are going to need the faith and good efforts of the private property owners, and the best way to get their cooperation is to provide them with incentives and protection from loss. Again, that relates directly back to the basic and fundamental subject matter of this particular piece of legislation.

Madam Chairman, for those reasons I would urge that the amendment offered by the gentleman from Louisiana [Mr. TAUZIN] is germane, that it should be considered, that we should take a vote and let the House work its will.

□ 1520

The CHAIRMAN. Are there other Members who wish to be heard on the point of order?

Mr. EDWARDS of California. Madam Chairman, I rise to support the gentleman from Massachusetts [Mr. STUDDS] in his point of order and to speak against the amendment offered by the gentleman from Louisiana [Mr. TAUZIN].

The gentleman from Louisiana eloquently expresses concern about the human species on this Earth and how we must protect it. But I think we all know that the human species is in trouble, and we had darn well better protect this Earth and this planet or we will not have an indefinite period of

time in which to enjoy the wonderful things that we do.

The gentleman speaks of the fifth amendment to the Constitution. I respect the fifth amendment, and I assure the gentleman that the fifth amendment is in good shape and has been in good shape for more than 200 years.

However, I think that we should remember that in addition to the fifth amendment, it says the Government cannot take your property without due compensation, that there are also provisions in the law and in the Constitution that make us responsible for the health and welfare of the United States.

Madam Chairman, if there is a polluter, some factory, by the San Francisco Bay, spewing out poison gas and ruining thousands of acres around it, I am sure the gentleman from Louisiana [Mr. TAUZIN] would have no objection to the local government saying you cannot continue this nuisance. And that is exactly right.

What the gentleman from Louisiana fails to point out is that there is not only the property right of a landowner, but there are also property rights of other people connected with the land. We certainly learned that in the recent floods of the Mississippi River that have been so tragic. The wetlands were destroyed, thousands of acres of wetlands, perhaps thousands of miles from the mouth of the Mississippi. People in the flood plains of the Mississippi, when the levees broke, they were the ones that suffered.

So I think the gentleman is incorrect. And when he relies solely on the fifth amendment, yes, we all respect the fifth amendment of the Constitution, but we also must respect our duty, the duty of the U.S. Government, to also protect the health and welfare of the American people.

We have two conflicting principles here. We must find a balance. It is being handled very well, this taking problem, issue by issue. The courts are examining these taking claims as they come up, one after another. They go right to the Supreme Court, they go to the district courts, and to the appeals courts. Each situation is different. And that is the way to handle it, not with a formula such as the gentleman from Louisiana suggests.

Mr. TAUZIN. Madam Chairman, will the gentleman yield?

The CHAIRMAN. The gentleman from Louisiana is recognized on the point of order.

Mr. TAUZIN. Madam Chairman, let me first point out the example used by my good friend, the gentleman from California [Mr. EDWARDS], would not apply to my amendment, as it is a clean air regulation.

The CHAIRMAN. The Chair would announce that Members will address the Chair on their own time. Members

may not yield when debating a point of order.

The gentleman from Louisiana [Mr. TAUZIN] may be heard again on his own time for further debate on this matter.

Are there further Members seeking recognition on the point of order?

Mr. YOUNG of Alaska. Madam Chairman, I would suggest one thing: There have been some comments made about this amendment not being germane. I believe the gentleman from Texas [Mr. FIELDS] and the gentleman from Louisiana [Mr. TAUZIN] have put it very well.

As far as the comment just made by the gentleman from California [Mr. EDWARDS], the basis of our Constitution and our democracy is privately held land, not Government-held land. If you want the Government to hold land, look what happened to the Soviet Empire and how they had their environmental degradation.

All we are saying in this amendment or any other amendments which will come before this committee at a later time on other legislation, such as wetlands legislation and endangered species legislation, it is time that this body recognizes the right of the private individual. If the Government or some agency decides that those lands or those species have a greater national value, all this amendment says is that if that is decided by an agency, then that person that loses the value of that land shall in fact be compensated first before we spend any other moneys buying other lands through action of this Congress or any other agency. That is all it says.

With all due respect to the gentleman from California [Mr. EDWARDS], you can talk about the fly down in San Bernardino that is stopping us from building a hospital. That is taking away the jobs needed in that area. Saying that that fly is all God so important, the same fly that I would swat on the corner of my arm if it was there, yet an agency says it is endangered. Or you might say to someone that their land has some type of bird or a bug or whatever it may be, or it is wetlands, the Government says it, and the value of that land decreases, that is a taking.

The agency says oh, no, we did not take your land. You do not need any compensation. While they define it as such, the value decreases and your rights are taken away from you.

Madam Chairman, you are going to rule that the amendment is not germane. I am saying to my colleagues we will have an opportunity down the line this next year to vote on other pieces of legislation that do protect the rights of the private landholder. If we lose that, and I say this to my friend, the gentleman from California [Mr. EDWARDS], if we lose the private-land concept in this country, let us all become Communists. That is what communism is all about, that in the national interest we shall do what is right. But the

basis of our democracy has been based upon the individual rights of that one person, not in the national goodness, unless he is protected and she is protected. That is the basis of our Constitution.

So I say to my colleagues, we will have an opportunity later on let us speak our mind as we should to uphold the Constitution. I compliment the gentleman for his amendment. It will be ruled ungermane, but we will go forward at a later time. We have laid the groundwork for this Congress again to speak for the people of America.

The CHAIRMAN. Are there other Members seeking recognition on the point of order?

Mr. TAUZIN. Mr. Chairman, in the debate in the committee one member pointed out that the definition of private property has changed in America. I challenge that notion. The definition of private property has never changed in America. I suggest to my friend, the gentleman from California [Mr. EDWARDS], that the definition of private property in my State, as in every State, I believe, has always been that you have the right to use and enjoy your private property, free of interference, so long as you use it in a way so as to not offend or endanger or create a nuisance for your neighbor or his property. That has always been the principle of private property ownership in America.

What is at interest here is how big the neighborhood has become. It used to be in America that your neighbor, under the law, was the guy next door. Today, under interpretations by Federal agencies, your neighbor can be someone living in Bangladesh. In order to protect some world interest in a species or wetlands, all of a sudden your rights of private ownership are subject to the needs and wishes of people who live in some sort of global community.

Madam Chairman, let me suggest to my friend that we are not suggesting that anyone ought to be able to pollute their neighbor. We are not suggesting those laws are not good. We are not suggesting that wetlands laws should not be implemented in America or that species protection should not be implemented.

To the contrary, we suggest they are good laws. Wetlands ought to be protected. That species that is threatened with extinction ought to be protected. We ought to do a lot more to keep them from becoming extinct or threatened in the first place.

All we are saying is when those good intentions deprive a person of his private property rights, the Government has to step up to the bar, as the fifth amendment compels them to, and has to compensate that private property owner. The Government cannot keep hiding under the notion that because it has not taken title to the land that it has not taken the property.

If the Government comes along and takes 5 of my 10 acres to build a hospital or a road, it has taken my property and I get compensated. But when the Government comes along and takes 50 percent of the use of my 10 acres, then the Government says, "A ha, but that is not compensable. You have to wait down the list for compensation, if in fact we ever buy your property."

All this amendment does is to say that when that occurs, when Government comes along, for all the good reasons stated by my friend, the gentleman from California [Mr. EDWARDS], that we enact species protection and clean air and wetlands protection, for all those good reasons, but when the Government comes along and takes more than 50 percent of the use of my 10 acres, or my 1 acre, or my 100 acres, that I ought to have the right to say to the American public, you have taken a real substantial part of my private property, and under the fifth amendment you ought to compensate me.

□ 1530

That is a principle, Madam Chairman, whether this amendment is ruled germane or nongermane, this floor will continue to debate. And before this session of Congress is over, we will have a chance to vote on it, I promise my colleagues. We will vote sometime in this session whether or not this Nation respects the right of private property owners in America or whether we are—as my friend, the gentleman from Alaska said—something different, something strange, something that has characterized countries in Eastern Europe, that has failed them miserably as those walls have tumbled, or are we a country that respects private enterprise and private property, or are we a country that simply tramples over those rights for whatever good cause we come upon.

That issue will be debated, Madam Chairman, whether today we identify and recognize that humans are part of this biological family or whether the Chair is obliged to rule that we are nongermane, not related, not involved in this biological process in this country.

The CHAIRMAN. Does the gentleman from California [Mr. EDWARDS] wish to be heard further on this point of order?

Mr. EDWARDS of California. Madam Chairman, I wish to respond briefly to the gentleman from Louisiana and assure him that the fifth amendment has been protected for a long time. These issues are not new that he describes. They come up in our society day after day. They are in every court of the land, and the courts are handling them pretty darn well. Maybe the gentleman disagrees with some of the decisions that are made, but each situation is different.

The courts are not stupid. They must act according to precedent, according

to the precedent set by higher courts earlier in the age.

There is no problem here. The worst thing we can do is what the gentleman has in mind, is that for us, us poor mortals, to try to establish these rules by law. It will not work, I assure the gentleman. Every situation is different.

The CHAIRMAN (Mrs. MINK). The Chair is prepared to rule.

The gentleman from Massachusetts [Mr. STUDDS] makes the point of order that the amendment offered by the gentleman from Louisiana is not germane. The amendment proposes to add a new section at the end of the bill and must be germane to the bill as a whole.

The bill establishes as an office within the Department of the Interior a National Biological Survey. The mission of the Survey is to gather, analyze, and disseminate biological information. This information may relate to efforts at resource conservation, biological awareness, and ecosystem management. It may include tracking of plant and animal populations. It is confined, however, to matters biological.

The amendment ranges far beyond the ambit of the bill to address requirements of adequate and prompt compensation for takings, within the meaning of the Constitution, by reason of any final qualified agency action.

The amendment does not confine itself to actions of the Survey under this bill but extends also to actions of other regulatory agencies under other acts of Congress.

Under these circumstances, the amendment cannot be considered as involving the same subject as the pending bill. Accordingly, the point of order is sustained.

AMENDMENT OFFERED BY MR. FIELDS OF TEXAS

Mr. FIELDS of Texas. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FIELDS of Texas: At the end of the bill, add the following new section:

SEC. . FOUNTAIN DARTER AGREEMENT.

(a) ESTABLISHMENT.—In carrying out the functions under section 3(b)(2) of this Act, the Director of the National Biological Survey shall enter into a cooperative research agreement with the Texas A&M University to assist in collecting and maintaining data concerning the distribution, abundance, health, and status of the fountain darter.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated in each of fiscal years 1994 and 1995, \$1 million to carry out the agreement required under subsection (a) of this section.

Mr. FIELDS of Texas (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FIELDS of Texas. Madam Chairman, this amendment would require

the Director of the National Biological Survey to help save the fountain darter.

The amendment requires research, aimed at recovery of this species, to be undertaken cooperatively with Texas A&M University.

Madam Chairman, I do not want to take a lot of time debating the merits of saving a 1-inch fish. Nevertheless, we have discussed at great length the tremendous pressure, chaos, and economic uncertainty that the foundation darter has brought to millions of Texans in the San Antonio region.

My proposal is quite simple and non-controversial. It requires the Biological Survey, through an agreement with Texas A&M University, to conduct research on the distribution, abundance, health, and status of fountain darters. In 1985, when the Fish and Wildlife Service published its recovery plan for the San Marcos River, it specifically called for the establishment of a captive group of fountain darters which could be reintroduced into either the San Marcos or Comal Springs should this habitat dry up in the future.

Captive propagation is an innovative technique that has been successfully used in the recovery of other endangered species such as whooping cranes, Kemp's ridley sea turtles, California condors, and, most recently, the black-footed ferret.

Texas A&M University's fishery program is ideally suited to assist the Biological Survey in its efforts to make the fountain darter one of the most prolific species on Earth.

Madam Chairman, this amendment does not require the expenditure of any new money. In fact, the \$1 million authorized by this language could easily be obtained by reprogramming funds already appropriated to the Biological Survey by H.R. 2520, the Interior appropriations bill for fiscal year 1994.

Madam Chairman, my amendment simply directs the Biological Survey through its research efforts to assist in the recovery of the fountain darter.

I urge the adoption of this important and noncontroversial amendment.

Mr. STUDDS. Madam Chairman, I move to strike the last word, and I rise in opposition to the amendment.

Madam Chairman, I regret that this is necessary, that it is necessary for me to rise in opposition. I really regret that my very dear friend from Texas has chosen to offer this amendment.

So that Members are aware of what this does, this directs the National Biological Survey to enter into a cooperative research agreement with Texas A&M University concerning the distribution, abundance, health, and status of a particular critter, in this case the fountain darter. And it authorizes \$1 million in each of the next two fiscal years to carry that out.

This is essentially an earmark under a determination by the Members of

this Congress, if this amendment were adopted, that that is the way \$2 million of the money authorized in this bill ought to be spent.

Let me point out a couple of things. First of all, this is unnecessary. Second, it is not wise. It is not necessary because the bill currently authorizes the Secretary to enter into contracts and cooperative agreements with any appropriate Federal, State, or local agency or private organization so that if in the judgment of the Secretary of the National Biological Survey such a program is appropriate, he or she has the authority to do so under the bill as it is currently written.

Second, this amendment has never been considered by our committee, nor has it even, to my knowledge, been introduced as legislation. It is very similar, as I am sure the gentleman knows, to another bill which is pending before our committee offered by the gentleman from California [Ms. PELOSI], to develop a salmon broodstock program.

The administration expressed concerns about that bill, and I am sure had they known about it, they would have the same concerns about this one.

I do not think that it is wise for the Congress to legislate the priorities for a recovery plan for a particular endangered species. That kind of a judgment should be made according to the dictates of science, not of Members of Congress.

I do not know about my friend from Texas, but I certainly would not presume to have the knowledge or the scientific ability to make a determination such as this.

I must point out, in all fairness, that the minority did, in fact, express reservations about the bill of the gentleman from California. And I think, in expressing those reservations, the minority may well have been wise. We are working with the administration and all other interested Members to address the concerns about the legislation currently pending before the committee. We would be happy to add the concerns of the gentleman from Texas to that.

But I really profoundly believe that it would be an error for us to take into our layman's hands the essentially scientific judgment of how \$2 million of these dollars ought to be spent and to earmark them for a particular State for a particular university and for a particular critter. That, I think, is not legitimately the job or the role of the Congress.

As I say, because of the closeness of the working relationship I have enjoyed over many years with the gentleman from Texas, I do this reluctantly, but I do strongly oppose the amendment.

□ 1540

The CHAIRMAN (Mrs. MINK). The question is on the amendment offered

by the gentleman from Texas [Mr. FIELDS].

The amendment was rejected.

Mr. LAROCCO. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman on October 6, I spoke on the House floor in support of language contained in H.R. 1845, the National Biological Survey Act, which would have assured that States' rights were preserved with regard to private property.

I supported that language after it was reviewed by Idaho's office of the attorney general. While time did not permit the preparation of a formal opinion by the Attorney General, the A.G.'s office indicated the language contained in the bill, as it was amended by the committees and brought to the House floor, would have given the States more discretion in the enforcement of property rights than would the Taylor amendment, which establishes a uniform Federal law.

As Members know, the Taylor amendment was adopted, so today I would like to enter into a colloquy with the chairman of the committee about States' rights.

Madam Chairman, is it your understanding that the language now included in the bill would protect States' current authority on private property rights and not override the complex property laws of all 50 States with a uniform Federal requirement?

Mr. STUDDS. Madam Chairman, will the gentleman yield?

Mr. LAROCCO. I yield to the gentleman from Massachusetts.

Mr. STUDDS. While I support the protection of private property rights, I, too, am concerned that the Taylor amendment establishes an exception to the private property law in Idaho, North Carolina, and in all of the other 48 States. We attempted in the language contained in the bill to walk the narrow line between private property law that is within the jurisdiction of the State and regulating the conduct of those gathering data for NBS. I am concerned that the so-called Taylor amendment does not keep to this narrow line.

Mr. LAROCCO. Mr. Chairman, among other things, I am concerned about the affect of the National Biological Survey Act on the rights of tenants as well as those of property owners. Under the bill, written permission is required from the owner. What permission, if any, is required from the tenant to allow entry on private property?

Mr. STUDDS. If the gentleman will continue to yield, I believe the gentleman's concern may be well-founded. The general rule of State landlord-tenant law as stated in American Jurisprudence 2d is that where premises are leased, the right to use them during the term is transferred from the landlord to the tenant. The general rule

goes on to state that the tenant is the absolute owner of the premises for the term of the lease, and the owner of the property has no more than a reversionary interest.

Under the bill as amended, no permission of any kind is required from the tenant. Since the general rule of all State landlord-tenant law is that the landlord has, and I quote, "no authority during the term to enter or otherwise disturb the tenant in his occupancy or in any manner interfere with his rights to the control of the property," the Taylor amendment will subject the owner and the NBS employee to an action by the tenant.

In fact, the general rule of State landlord-tenant law is that "an unauthorized entry or intrusion by the landlord during the existence of the lease is as much a trespass as an entry or intrusion by a stranger."

Mr. LAROCCO. Mr. Chairman, is it the gentleman's understanding that the States would retain their ability to enact private property laws which could be more stringent than those in this bill?

Mr. STUDDS. It is my understanding that States would retain their ability to enact private property laws which could be more stringent than those in this bill. The real problem, as the gentleman from Idaho has indicated, and as we have been discussing, is that State law is inconsistent with this bill. I am very concerned that property owners who lease their property will, relying in good faith on the so-called Taylor amendment, consent to an entry and find themselves in difficulty with their tenant who under State law is the only party able to give legal consent. I hope, obviously, that we can deal with this inconsistency in conference in a way that protects property owner rights without subjecting them to State trespass charges.

AMENDMENT OFFERED BY MR. HANSEN

Mr. HANSEN. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HANSEN: Add a new section as follows:

"SEC. . FISH AND WILDLIFE MANAGEMENT

(a) The establishment and operations of the National Biological Survey shall not be construed to enlarge or diminish the authorities or responsibilities of the States, territories, or possessions of the United States, for the management of fish and wildlife and their habitats; (b) the establishment and operations of the National Biological Survey shall maintain the scientific research programs on fish and wildlife and their habitats conducted by States, colleges, and universities with appropriate funds or personnel provided, in whole or in part, by the Department of the Interior; (c) the National Biological Survey shall provide adequate support for research and related efforts necessary for the proper management of wildlife, fish, and their habitats, including the provision of data and information from the Migratory Bird Banding Laboratory that is necessary for the United States Fish and

Wildlife Service to fulfill its responsibilities for the management of migratory birds, including hunting programs.

Mr. HANSEN (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. HANSEN. Madam Chairman, I, along with my colleagues, Mr. DINGELL, Ms. LAMBERT, and Mr. JEFFERSON, offer an amendment that will preserve the traditional roles of the States in the management and research of State fish and wildlife resources and will preserve the continuation of the Migratory Bird Program.

Congress has a long tradition of preserving the role of the States to manage fish and wildlife populations within their borders. Because the States are interested in preserving and enhancing these resources, they have done excellent jobs of managing and building up populations of fish and wildlife. For example, in my home State of Utah, elk populations are currently higher than they have been for decades. We have seen these types of increases almost across the board with populations of both game and nongame species. Our amendment will ensure that the States retain the jurisdiction to manage these resources. Although the National Biological Survey could serve as a data bank on which the State management agencies could draw, it should not lead to mandates upon State management agencies.

Colleges, universities and States in cooperation with Federal agencies conduct research that is both unique to their needs and vital to proper management. Federal dollars and personnel help support this research and it is important that these cooperative programs continue. Without these programs, colleges and universities across the country will suffer greatly and the research will not be completed. Our amendment will ensure that these cooperative programs continue and are supported by the National Biological Survey.

The final section of the amendment will preserve the Migratory Bird Program conducted by the Fish and Wildlife Service. Migratory bird seasons are established each year by the Fish and Wildlife Service. Extensive annual research is required in order to support the hunting seasons and proper management. I am concerned that the National Biological Survey may strip these basic research functions from the Fish and Wildlife Service and threaten the continuation of these management and hunting programs. Hunting and other waterfowl groups in cooperation with the Fish and Wildlife Service play a critical role in preserving healthy populations of migratory birds and our

amendment ensures that these successful programs continue.

This straight forward amendment will protect cooperative wildlife research programs in our States and will preserve the heritage of migratory bird hunting. I urge your support of the Hansen-Dingell-Lambert amendment. I thank my colleagues, the gentleman from Michigan, Mr. DINGELL and the gentlewoman from Arkansas Ms. LAMBERT for their cosponsorship, and I thank the chairman, the gentleman from Massachusetts [Mr. STUDDS] for his willingness to work with us on this amendment.

Mr. FIELDS of Texas. Madam Chairman, if the gentleman will yield the language that the gentleman from Utah has offered concerning the relationship that the National Biological Survey has with State fish and wildlife agencies in the management of State fish and wildlife is indeed needed.

His amendment also identifies the need to maintain a strong level of cooperation between Federal agencies, State agencies and academia in conducting research on our natural resources.

Finally, his language provides assurances that the Fish and Wildlife Service will be able to meet its full responsibilities for the management of migratory birds as required under the Migratory Bird Treaty Act with data supplied by the Biological Survey.

Mr. Chairman, the amendment offered by my good friend Congressman HANSEN is indeed needed and I support its adoption.

Mr. HANSEN. Madam Chairman, I thank the gentleman from Texas for his remarks.

Ms. LAMBERT. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I would like to start first by congratulating the chairman and his staff for doing such a wonderful job in working on this bill.

"If it ain't broke, don't fix it." How many times have we heard this ditty, especially with Vice President GORE's mission to reinvent Government? With the reinvent Government argument, the Vice President has found more things broke than not. However, what we are talking about today is maintaining a program that is healthy and working properly.

Today, my colleagues, Mr. DINGELL and Mr. HANSEN, and I have introduced an amendment to the National Biological Survey Act to preserve the integrity of a program with a well-established track record. Our amendment ensures that the U.S. Fish and Wildlife Service preserves its ability to work with the States and educational institutions to monitor and manage the wildlife resources within each State border.

While I support the purpose and goals behind the National Biological Survey

to employ scientifically sound methods to map and identify the ecological landscape in this country to avoid future train wrecks between development and the environment. I also believe that passage of this amendment assures the Fish and Wildlife Service and 50 State fish and game commissions that the NBS will not infringe on traditional State oversight over the management and hunting of wildlife.

Under the Migratory Bird Program, the Fish and Wildlife Service researches the health of the bird population and other statistics to determine the hunting seasons and the daily quota for each hunter. The Fish and Wildlife Service must justify its hunting guidelines through extensive research before implementing them. We are concerned that the research arm of the Fish and Wildlife Service will be transferred to the NBS, leaving the Service without the resources to conduct its research. Without this research capacity, the Fish and Wildlife Service will have insufficient information to justify the annual hunting criteria.

While I know that many of the Members of this body do not hunt, it is a basic fact that hunting, that is strictly regulated and monitored, stabilizes the population of migratory birds such as ducks, and promotes a healthy breed. We want to guarantee that the Fish and Wildlife Service will continue to work closely with the States and universities in its research and that the Service will foster new research alliances with the NBS. We seek to protect migratory bird hunting and cooperative wildlife research.

I urge you to support this non-controversial measure and vote yes on the Hansen-Dingell-Lambert amendment.

Mr. WELDON. Mr. Chairman, I rise in support of both H.R. 1845, the National Biological Survey Act of 1993 and the Hansen-Dingell-Lambert amendment. As a member of the Migratory Bird Conservation Commission, I am a strong supporter of the Fish and Wildlife Service's migratory bird management programs. While I support the concept of coordinating the Department of the Interior's sciences resources through the National Biological Survey [NBS], I want to ensure that the crucial work of the Migratory Bird Banding Laboratory, as well as the other critical responsibilities of the Fish and Wildlife Service, continues.

Mr. Chairman, without the biological research conducted by the Fish and Wildlife Service, annual waterfowl harvest levels could not be established. This eventually would devastate critical wildlife habitat protection efforts funded by the U.S. Duck Stamp Program. The Duck Stamp Program has brought roughly \$400 million to migratory bird conservation initiatives since its inception in 1934. The program has contributed to the acquisition of over 4 million acres of wetlands for addition to our National Wildlife Refuge System.

Mr. Chairman, we can ill afford to lose this vital program. The Hansen-Dingell-Lambert

amendment will ensure that migratory bird research does not suffer when the National Biological Survey is established. The Hansen-Dingell-Lambert amendment strengthens H.R. 1845, and I compliment my colleagues from Utah, Michigan, and Arkansas on their initiative.

Mr. STUDDS. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I commend the gentleman from Utah [Mr. HANSEN] and the gentlewoman from Arkansas [Ms. LAMBERT]. We are delighted to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah [Mr. HANSEN].

The amendment was agreed to.

Mr. VALENTINE. Madam Chairman, I move to strike the last word.

Madam Chairman, I would like to engage the chairman of the Committee on Merchant Marine and Fisheries in a brief colloquy.

First, let me say that I agree with my distinguished colleague that the legislation before us authorizing the creation of a National Biological Survey is a scientific endeavor. I believe the Survey is intended to ensure that we have scientifically credible information on which to make management decisions. I agree that this bill is not an appropriate forum for debating private property concerns.

Having said that, however, the issue of takings is important to every Member of this body and I believe that when we begin to make management decisions under the Endangered Species Act or section 404 of the Clean Water Act dealing with wetlands, that appropriate attention must be paid to the impact of those regulatory and management decisions on private property rights, specifically those related to takings and compensation.

Chairman STUDDS, you have stated publicly on numerous occasions, including your recent testimony before the Committee on Rules on H.R. 1845, that "legitimate and serious questions, [have been raised on] the takings of private property." You also said "Those are important questions, they are real questions. There is a forum in which they are appropriately debated."

Can the gentleman assure the House that he will do what he can to ensure that issues regarding takings and compensation will be debated and considered when the appropriate management legislation is considered on the floor of the House?

Mr. STUDDS. Madam Chairman, will the gentleman yield?

Mr. VALENTINE. I yield to the gentleman from Massachusetts.

Mr. STUDDS. Madam Chairman, I would say to the gentleman, he has quoted me correctly. I assure the gentleman that as my committee considers environmental protection and natural resources management issues, as it

will during the remainder of this Congress, I will support serious and legitimate debate and consideration of whether and how to compensate people whose property interests may be adversely affected by regulation. We may, at that time, disagree on where the balance appropriately lies, but we will not disagree that the issue is a proper one for debate.

However, as the gentleman has stated correctly, H.R. 1845 is not the proper context for this debate. This bill is designed to provide us with the best information available on our Nation's biological resources. It does not in any way restrict personal liberties, including any person's ability to use and enjoy their property.

I share the gentleman's desire to find the appropriate balance between private rights and public interests. I will work to bring this issue to the House floor prior to the end of the 103d Congress. I appreciate the steps he has taken to assure that whatever course we take is consistent with that science tells us about the difficult task of managing the Nation's biological resources.

Mr. VALENTINE. Madam Chairman, I thank the gentleman, and urge my colleagues to vote "aye" on final passage of this legislation.

□ 1550

Mr. DINGELL. Madam Chairman, I move to strike the last word.

Madam Chairman, years ago, in a happier time, I was a member of the Committee on Merchant Marine and Fisheries. I had the privilege of working with the distinguished gentleman, Mr. Studds who is now the chairman of that committee. And I want to express great affection and respect for him. He is a fine man, a fine Member, a dear friend of mine, and served with great distinction on that committee during those days.

I had the privilege of being the chairman of the Subcommittee on Fish and Wildlife Conservation during the years I was there, and we wrote a lot of great legislation. We wrote the Fish and Wildlife Coordination Act, the Endangered Species Act, Marine Mammal Protection Act, the ocean dumping legislation, National Environmental Policy Act, and a lot of other legislation. One of the things which we did was to create a national wildlife refuge system and the fish and wildlife and the precious resources that America treasures and cherishes.

I want my colleagues to know that I approach this legislation with a genuine sympathy for the Interior Department and for what it stands for, because it guards some of the greatest treasures that are owned and held by and for the American people. But this legislation, in spite of the great affection that I hold for my good friend from Massachusetts, is bad legislation. I ought not pass.

Why? Because it takes all of the technical and scientific expertise and skill in the Interior Department, particularly the Fish and Wildlife Service, and it moves it into one place. And where is that one place? Entirely under the thumb of the Secretary of the Interior.

Now, one of the things that we have struggled with during the years that I served in this Congress has been to see to it that the Congress gets adequate information from Federal agencies, information which is true, which is factual, and which is sound. This became a matter of special concern to me in the days when there was a fellow by the name of Douglas McKay as the Secretary of the Interior. He was an evil man. He plundered the refuges. He defiled the public lands. He gave away treasures that belonged to all of the people to every special interest in sight.

But one way which we were able to find out what policy was being made at the Department of the Interior was the fact that there were a few scientists, biologists, and experts who were able to come up and inform the Congress about what was going on. As a result, we were able to stop McKay's raids on the refuges, we were able to protect them, and we were able to protect the public lands. The committee of this Congress, in a bipartisan fashion, unanimously denounced the misbehavior of this evil man.

The treasures that are held by the Interior Department are protected in good part by the scientific knowledge and the scientists that are there to see to it that fish and wildlife and natural resources are protected and cherished as they indeed should be. The real sadness, however, is that not only is this legislation going to serve to blind the Congress by putting the entire handling of the Survey information and science in the hands of one man, the Secretary, it is also going to do something else. It is going to isolate refuge managers and reduce their available resources. It will dilute the ability of resource managers to know what is going on in these areas, because all of these Survey people are going to be concentrated directly within the handhold and the arm-reach of one man, the Secretary of Interior.

Now it may be that Mr. Babbitt is going to be, in the passage of time, the greatest Secretary of Interior we are ever going to see. I personally have some doubts. But the hard fact of the matter is that whether he is good or bad, trusting one man with this kind of control over information on science, on management of wildlife, on protection of wildlife resources is unwise, because it may well be that some evil man will come by and want to despoil these resources, was we have seen happen in the past, because Interior is an agency which has a rich history of scandal.

The legacies of Teapot Dome, the McKay machinations and others are information that we should bear with us as we address this legislation right here.

If Members want to deny the administrators in the Department of Interior the information they need to properly address the management of the greatest natural treasures and resources this country has, support this bill. If they want to see to it that they are not able to get the information they need to make the necessary, wise and proper judgment with regard to natural resources, then by all means support this bill.

If they want to see to it that they have full access, and that the administrators and the others who are in charge in the field of protecting the resources that we are talking about here have full access to that information, then by all means vote against this legislation. There is no benefit to be achieved by this legislation.

I urge my colleagues to defeat this legislation. It is in the public interest to do so. It is bad legislation. It serves no wholesome purpose.

AMENDMENT OFFERED BY MR. TAUZIN

Mr. TAUZIN. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TAUZIN: At the end of the bill add the following:

SEC. . ENSURING ECONOMIC COMPETITIVENESS AND THE FULFILLMENT OF HUMAN NEEDS.

(a) REQUIREMENTS FOR RESEARCH AND ECOSYSTEM MANAGEMENT MONITORING.—Notwithstanding any other provision of this Act, the Director shall—

(1) conduct research on biological resources otherwise authorized by this Act in a manner that permits the United States to remain economically competitive while protecting natural resources; and

(2) conduct monitoring of methods by which ecosystems are managed that is otherwise authorized by this Act in order to improve the capability of the Nation to conserve biological resources and diversity with minimum adverse economic impacts on the fulfillment of human needs.

(b) ENSURING CONSIDERATION OF HUMAN NEEDS.—The Director shall—

(1) In any research conducted with respect to a particular management action, include research (including by collecting and analyzing data and information) regarding—

(A) the impacts of the action on the fulfillment of human needs, including impacts on the use and enjoyment of private property, employment opportunities, and State and local government revenues; and

(B) alternative ways in which the management action may be carried out so as to reconcile the goal of minimizing those impacts with the goal of protecting biological resources;

(2) in evaluating and monitoring any ecosystem management method, evaluate and monitor—

(A) impacts referred to in paragraph (2)(A) resulting from the method; and

(B) alternative methods that can better reconcile the goals referred to in paragraph (1)(B); and

(3) in disseminating information to any person with respect to a particular management action, ecosystem management method, or resources management decision, include all information in the possession of the Survey regarding research under paragraph (1) and evaluation and monitoring under paragraph (2) that relates to the action, method, or decision.

Mr. TAUZIN (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. STUDDS. Madam Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. A point of order has been reserved by the gentleman from Massachusetts [Mr. STUDDS].

Mr. TAUZIN. Madam Chairman, this amendment would add a new section that authorizes the Director of the National Biological Survey, when gathering information in conjunction with a particular management action, to consider human impacts and human needs when conducting that research and monitoring activity. It says in effect that it should examine the impacts on the use and enjoyment of private property, employment opportunities, and State and local government revenues, and that it ought to examine alternative ways in which the management action in question might be carried out so as to reconcile the goal of minimizing those impacts with the goal of protecting the biological resources inventoried or analyzed in that activity.

In effect, it says that in conducting this biological survey, when it is conducted in relation to a proposed management action, that human needs, effects on people, their private property and their jobs ought to be considered at the front end of the business rather than at the very tail end when we end up having to convene God squads to handle a horrible conflict that develops in these so-called train wrecks, as we have seen in the Pacific Northwest, and in the Gulf of Mexico, when endangered species laws run headlong into the rights of people to be employed, and to carry out their livelihood, very often on their own private property.

Madam Chairman, we often hear that people want balance in these laws, that they want us to make sure that when environmental laws are carried out in America that they are carried out and accomplished in a way that respects human needs, human requirements for jobs, for income, human rights in the private property that people hold and enjoy in America. And yet, when we pass a law creating a biological survey, we are told well, that is not germane. When, in fact, the endangered species law was passed years ago, and I hope we get a chance to look at this again

this year, the American public was told that is not germane.

□ 1600

In fact, the law cannot consider human impacts and economic damage when recovery plans are affected by the Endangered Species Act under current law unless and until a God squad is convened. It is the position of this Member, and I hope many Members of this House and this Congress, that at some point in this debate, whether it is in biological surveys laws, endangered species reenactments, wetlands laws examined when we do the Clean Water Act, that this body ought to speak to that balance, that we ought to compel the agencies of our Government who do biological surveys, who do management actions in consequence of the information that is derived from these surveys, that human impacts, human jobs, private property be considered in the alternative methods by which we choose to accomplish the good goals of wetlands protection, endangered species protection.

There are many ways to recover an endangered species; some put a lot of people out of work, some may not. Under current law you cannot consider those alternatives. There are many ways to protect wetlands, many ways to define wetlands, many ways in which to insure that wetlands are preserved and created in America, and yet under current law human impacts, damage done to human lives, to jobs, to private properties, that cannot even be considered when those alternatives are discussed.

It seems to me that if we are going to do a biological national survey of all the plants and animals that inhabit this country, that not to consider the impact upon the management decisions that will flow from the survey on the lives of people is, again, to say we are irrelevant, that we are not germane, that we are not related to this issue.

Ladies and gentleman of the House, I submit that is an improper, improper conclusion. If we are to protect plants and animals properly in America, we ought to do it with the support of landowners, we ought to do it with the encouragement of people who want to have a good job in America, we ought to do it with every citizen of this country as partners in that protection. And if you want the partnership of America in good environmental protection, you ought to respect the lives of the people in this country, you ought to respect their private property, you ought to respect their right to have a good job when you go about protecting plants and animals and wetlands in our society.

Is it so horrible to ask that those economic considerations be started at the front end when we do the biological survey? It is so nongermane for us to ask that they be considered at the

front end of this process rather than at the back end when these other train wrecks occur, people are thrown out of work, economies are lost, State and local governments lose money, and people's private property, their lives and their jobs are destroyed in the process?

It seems to me if we really believe in balance, this is where it starts. We ought to have this amendment, it ought to be part of this bill; it ought to be germane, Madam Chairman, even though you may be required to rule that it is not. It ought to be germane. Before this debate is settled in this House, we will have a chance to vote on this.

One final word on this, Madam Chairman: To those who would say, "Let the courts handle this business," have you ever been to court lately? Have you listed the laws under which our citizens are required to go to court to protect against adverse economic impacts and loss of private property? Have you hired any lawyer lately? Do you know what they cost? About a half of a million dollars to take these cases to the Supreme Court.

Do you want to tell every citizen in America that we are not willing to make a law they can live with, that we are going to let them go to court instead to satisfy their rights to jobs and private property?

The CHAIRMAN. The time of the gentleman from Louisiana has expired. (By unanimous consent, Mr. TAUZIN was allowed to proceed for 1 additional minute.)

Mr. TAUZIN. I thank the chairman.

Madam Chairman, I suggest we ought not to tell our citizens that we are so incapable of settling those issues here in the Congress, that they all have to go to court whether they own one-half acre or 100 acres, they all have to hire attorneys and spend a half of a million dollars and we have to subject the Treasury of the United States of America to defend every one of those cases.

It seems to me we ought to have the good common sense to put some balance in our laws now and to give people the right to settle those economic impact decisions early in the process. And when it goes wrong, we ought to establish a clear and easy way for them to seek and receive compensation from the American public for the harm we do to people and the good we do to protect plants and animals and wetland systems in America.

POINT OF ORDER

Mr. STUDDS. Madam Chairman, I make a point of order that under clause 7, rule XVI, the amendment offered by the gentleman from Louisiana [Mr. TAUZIN] is not germane.

The gentleman has armed himself with his usual eloquence and vigor and passion, but unfortunately he has charged once again onto the wrong battlefield.

This amendment introduces an entirely new and unrelated concept to the bill; in fact, two of them at least: human impact analysis, and economic competitiveness.

H.R. 1845 is a bill that establishes the National Biological Survey by pulling together in the Department of Interior the biological research and inventory functions from a number of the Department's bureaus. It involves only those biological research and inventory functions that are not related to the day-to-day management responsibilities of the departmental agencies.

In essence, this bill is not about management or supporting regulatory decisions in any way at all; nor is it about assessing human impacts. Rather it is about, and it is only about, gathering the best scientific information available on biological resources.

As I argued in an earlier point of order, there is nothing whatsoever in this bill about how or even whether any agency will use the data gathered by the National Biological Survey.

The gentleman's amendment attempts to alter the mission of the survey by including within its functions a new, additional mandate, collecting and analyzing data on the human impacts of decisions made by Federal agencies, presumably all Federal agencies, not just the Department of the Interior. This bill, Madam Chairman, is about science, not about economics.

Furthermore, the amendment would insert the requirement that an analysis of management decisions include an assessment of impacts on private property, on employment opportunities, and on State and local government revenues. This clearly goes beyond the mission of the survey as contemplated in this bill and, in fact, well beyond the mission of the Department of Interior.

Therefore, Madam Chairman, with all respect to the passion and eloquence of the gentleman, which I know we will hear again in future fora, I would urge sustaining the point of order.

The CHAIRMAN. The gentleman from Louisiana [Mr. TAUZIN] is recognized on the point of order.

Mr. TAUZIN. Madam Chairman, why are we collecting these data? Is it to put it away in the canceled superconducting super collider tunnel? Are we going to hide it from the American public?

I suggest to you we are gathering this data under this bill for one purpose, and that is to participate that data into the management actions and decisions of Government agencies who are going to regulate private property in America. That is what it is all about. If you do not believe that is what this data collection is all about, then I suggest you should not have appropriated the tax dollars we have appropriated behind this survey.

Let me concede a point to my friend, the eloquent chairman of our committee. That is what we ought to have

good scientific data. I am going to vote for this bill, even though, Madam Chairman, I think you are going to rule this amendment is not germane, as I have been told you would.

□ 1610

The reason I am going to vote for it is that I think we ought to have good data. I think it serves us all to have better data in the management of these very important regulatory laws that we pass in America.

In fact, so bad is our data base, believe it or not, the endangered species laws now are based upon a standard of data known as best available data, the acronym for which is BAD; so bad is the base upon which regulatory decisions are made today that we get some awful consequences as a result across America.

But to say that this data is somehow going to be collected and then forgotten is entirely wrong. This data will be used, you and I know it. It will be used to affect management decisions. It will be used to regulate people's private property. It will be used in some cases in ways that will deprive people of their jobs and deprive people of the value of their property. You and I know that. Regardless of what our friend, the chairman says, you know that is what the data will be used for, and if it is going to be used for that, why not have the agencies examine in the beginning of the process that impact, and examine the alternatives in which we can avoid those impacts.

Why not make this a germane part of this bill?

I understand what is about to happen, and I understand that most Members know this amendment is going to be ruled nongermane; but Madam Chairman, this debate will continue.

I hope we have put the gauntlet down. I hope we have laid it down squarely in front of those in America who talk about but never want to have human impacts considered, never want to have property rights debated, never want to consider the fact that in doing the public good, we sometimes very seriously damage individuals in our society who are entitled to the protection of our Constitution and certainly are entitled to the protection of our votes in this Chamber.

We will have this debate again, Madam Chairman. We will have it over and over again until this House recognizes that every citizen of this country is entitled to the same protection we give to plants and animals and wet environments.

The CHAIRMAN (Mrs. MINK). The Chair is prepared to rule on the point of order.

The gentleman from Massachusetts [Mr. STUDDS] makes the point of order that the amendment offered by the gentleman from Louisiana is not germane. The amendment proposed to add

a new section at the end of the bill and must be germane to the bill as a whole.

The bill establishes as an office within the Department of the Interior a National Biological Survey. The mission of the Survey is to gather, analyze, and disseminate biological information. This information may relate to efforts at resource conservation, biological awareness, and ecosystems management. It may include tracking of plant and animal populations. It is confined, however, to matters biological.

The amendment offered by the gentleman from Louisiana, however, addresses not only biological information, but also such socioeconomic matters as employment opportunities and governmental revenues.

The argument that regulatory or policymaking actions of the Federal Government should not pursue the protection of biological resources in derogation of broader cost-benefit considerations does not make such broader concerns germane to a bill that only addresses biological concerns. Similarly, the argument that human beings are animals who dwell in habitats within our ecosystems does not make matters socioeconomic germane to a bill confined to matters biologic.

As ably pointed out by the gentleman from Massachusetts, the amendment cannot be considered as involving the same subject as the pending bill.

Accordingly, the point of order is sustained.

Mr. TAYLOR of North Carolina. Madam Chairman, I move to strike the last word.

Madam Chairman, I am going to vote for this legislation.

I am not at all happy with the legislation and the intent and what I think will come from it.

I think the gentleman from Louisiana [Mr. TAUZIN] is exactly right. This will be used in ways or may be used in ways that will deteriorate private property rights. I think what he was saying, even though his amendments have been ruled not germane, he certainly is aiming in the direction that we must go in this country to protect private property rights, to restore respect for trying to take care of legitimate environmental needs.

When I go home, people talk to me about endangered species. They say, Are you crazy as a loon for what you folks are doing out there.

They cannot understand what we are doing with many of the acts we pass in the name of the environment.

We are getting ready to spend \$163 million for the National Biological Survey and some constituents who live next to the Great Smokey Mountain Park which is in my district brought me photographs of the conditions of a number of the picnic tables. I know we cannot see these, but here is a picnic table that is falling apart. It is one of three on the north shore of the park that is totally deteriorating.

There are two portojohns to take care of all the people who are over in that section. In fact, at the top of the Great Smokey Mountain Park at Queens Dome, sewage is running from the facility that has been put there because it is totally inadequate to take care of the number of people who come there.

What I am saying to you is that all across our Nation we have needs in our National Park System that would be better served with this \$163 million than would be the \$163 million we are spending on the National Biological Survey.

But we are not voting today to create the National Biological Survey. We did that the other day in the Appropriations bill. I voted against it at that time.

Secretary Babbitt has said that when the money passed the appropriations process in this House, and if it passes the Senate, he plans to install the National Biological Survey no matter what happens to the authorization bill. No matter what Congress says about the authorization power, he is going ahead and will conduct the National Biological Survey.

So that bill, having passed this House, what we are doing today with an authorization bill and the amendments that have passed, we are trying to put some standards and some controls behind it. I believe that is worth doing.

I hope we will have an opportunity in the future to address private property rights and to make a fight in that area.

Now, we are going to vote again on the Taylor-Pombo-Condit amendment, I believe, here today. I know there was some talk that tenant rights had been abused by that legislation, that in some States where the tenant has a right to the property, by going to the property owner for permission to come on to that land, as our amendment does, we bypass the tenant. That is entirely false. That is a smokescreen. That is trying to defeat the bill as it is.

What happens in most of those States is that the property owner will be asked for his permission to come on the land, and then if there are tenants, according to most State laws, his permission will also have to be had.

Now, we have no objection if anywhere along the process people want to amend our amendment to say that tenants are also protected, if that is a real concern; but we should not try to defeat the right of private property owners to protect their land under the guise of a tenant law.

So you can see my position. We have passed the creation of the National Biological Survey with the appropriations that we passed last week. What we are doing today is to try to put some control in an authorization bill that will protect private property owners and make this legislation more

in the public interest, and I intend to support it for that reason and that reason only.

Mr. VENTO. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I rise to take this time briefly to again enunciate my support for the National Biological Survey which has been so misunderstood, and to some extent, I think, misrepresented on the floor these past weeks over which this debate has stretched.

Clearly, the issues that many Members are raising with regard to private property are rights that are important issues. Nobody on this floor is denying or repealing or modifying or amending the fifth amendment to the Constitution which protects such rights.

The fact is that various regulatory structures at the State level, at the national level, have addressed and do limit the use of private lands and define what constitutes a property right.

In fact, on the question of property rights, as one of the Justices pointed out, regards individual rights, "Your rights to swing your arms around end where the other person's nose begins." Property rights are not much different and as we get in more information on wetlands, on various types of species, we find that the impacts that they have are far and wide. The varied utilization of land and property may well have a profound impact on other people's rights. Fill in a wetland and you destroy a habitat or excess pumping of water from an aquifer may have the same result. Property rights don't exist in a vacuum; they exist in a dynamic context and are interrelated to others property rights.

□ 1620

To represent that by having better information, that that somehow affects an individual's property rights, I think is inappropriate. We may decide that we want to change a policy, change what a regulator does, but to imply that we should do so with a poorer quality of information I think is a real step backwards.

There has been an effort, I think, a misunderstanding, throughout this debate to visit upon the National Biological Survey [NBS] other responsibilities. First of all, there is the expression that many Members are uneasy because of the role that the NBS will have to do surveys of various fauna and flora, but then all of a sudden, out of the blue, come amendments that somehow they are going to measure the economic impact, the human impact. Some are proposing to give the NBS responsibilities which would involve the great uncertainty and endless heated debate of almost any decisions that would be made.

In fact, of course, such task would be a grave mistake. It is not something

for the physical scientist, the natural scientist. I think it is a task that is very difficult for economists and political sciences at the national or State level.

Madam Chairman, one point I wanted to make is that we have heard much in the past, and again today, about the Endangered Species Act and the associated problems of this act and wetland delineation, and the classification and conservation of various land management techniques. Recently I picked up a briefing paper of the Office of Technology Assessment which report elaborated upon nonindigenous species. Nonindigenous species, of course, are exotic species which do not occur naturally in certain types of environments, and the OTA did a survey of just 79 nonindigenous species from 1906 to 1991, and they learned from this particular survey and work that the Office of Technology Assessment did that within the United States the cost of these 79 nonindigenous species over this period of 85 years in this century cost an estimated \$97 billion of damage. Cost and damage by vectors, by insects like Med flies, nonindigenous species, 79 life forms that became problems in environments where they didn't occur naturally.

Types of plants and animals that have caused serious difficulties, and of course the reason that this becomes important is, if we can plot and find out what is happening with various types of plants, various types of animals, the vectors that carry various diseases, it would be very, very useful to all of us to have proper information.

Again, Madam Chairman, this points out a purpose and a use of the National Biological Survey, not just on those particular laws that are controversial here today in terms of the Endangered Species Act, and I understand that that is controversial, and the wetlands delineation or Clean Water Act, but on many subjects and law that would be noncontroversial such as issues that deal with the medical health and well-being of the people that we represent that may be a subject of disease-carrying types of pests or various types of challenges in terms of nonindigenous species that are growing across the lands and destroying virtually native environments competing with crops.

So, Madam Chairman, what I am trying to point out here is that here we got a 100 billion dollars' worth of cost, just in this century, on 79 species that are not where they are supposed to be. They do not belong there. As my colleagues know, Hawaii has an example, as the gentlewoman in the chair knows. It has only about half of its native species remaining. They have lost the rest because they have been invaded by these nonindigenous species, and the same is true today on the tip of Florida where the Melaleuca and the Brazilian pepper are causing so much

damage to the natural environments there.

I wanted to point out, for the benefit of the Members, why we need the National Biological Survey, not just the concerns that relate to other controversial or nonrelated subjects. We do not want the NBS to regulate; we just want the information—better data. After that, I am perfectly willing to stand in the well of this House, or to serve, and make decisions that affect people. But we should have sufficient and accurate data on which to base such decisions.

Madam Chairman, that happens to be the job that we are expected to do. We write the laws that affect people, but we have got to have it based on good information, and we should find no differences on that point.

OFFICE OF TECHNOLOGY ASSESSMENT REPORT BRIEF

Harmful "non-indigenous species" (NIS)—those plants, animals, and microbes that are found beyond their natural geographical range—annually cost the Nation millions to billions of dollars and cause significant and growing environmental problems, says a new report from the Office of Technology Assessment. Harmful Non-Indigenous Species in the United States. At the same time, beneficial NIS form the backbone of American agriculture and are important in horticulture, fish and wildlife management, biological control, and the pet industry. OTA's work takes a comprehensive look at the damaging species.

WHAT'S WHERE

The movement of plants, animals, and microbes is much like biological roulette. Once in a new environment, an organism may die. Or it may take hold and reproduce with little noticeable effect. But sometimes a new species spreads, with devastating results.

Almost every part of the country faces at least one highly damaging NIS—like the zebra mussel, gypsy moth, or leafy spurge (a weed). They affect many national interests: agriculture, industry, the protection of natural areas, and human health. The melaleuca tree, for example, is rapidly degrading the Florida Everglades system by replacing sawgrass marshes, forests, and other natural habitats with single species stands. In Hawaii, NIS are responsible for extinctions and replacements of indigenous species; they now make up at least 50 percent of the State's wild plants and animals.

Naturally occurring movements of species into the United States are rare. Most organisms arrive with human help. Numerous NIS entered the country as unintended contaminants of commodities, packing materials, shipping containers, or ships' ballast. Others were intentionally imported as crops, ornamental plants, livestock, pets, or aquaculture species—and later escaped. For example, at least "36 of the West's 300 weeds" escaped from horticulture or agriculture. A number of NIS were imported to improve soil conservation, fishing and hunting, or biological control but caused unexpected harm.

THE GOOD, THE BAD, THE "WHO KNOWS?"

Some NIS (like soybeans and most pets) are clearly beneficial; some (like gypsy moths, Russian wheat aphids, and crabgrass) are clearly harmful. Some are both, depending on location. And value is in the eye of the beholder. Purple loosestrife, for example,

is an attractive garden plant and a major wetland weed.

At least 4,500 NIS of foreign origin have established free-living populations in the United States, a much larger number than were present 100 years ago. Approximately 15% of the total species trigger severe harm. Most species' economic impact is not recorded. However, from 1906-1991, just 79 NIS caused documented losses of \$97 billion, mostly in control costs and losses of marketable goods. A worst case scenario for 15 potentially high-impact NIS adds another \$134 billion in future economic losses. This figure likely represents only a fraction of the total costs because many species and kinds of effects are uncounted. Harmful NIS also have exacted a significant toll on U.S. natural areas, ranging from wholesale changes in ecosystems to more subtle ecological alterations.

The rate of harmful introductions fluctuates in response to social, political, and technological factors. This rate does not appear to be increasing, although it is far higher than the natural rate of introductions. The cumulative number of foreign NIS in the United States, however, is climbing steadily and swiftly—creating an ever greater economic and environmental burden. Just since 1980, over 200 foreign species were first introduced or detected and at least 59 of these are expected to be harmful.

Uncertainty in predicting types and levels of risk remains a problem. Past intentional and accidental fish and wildlife introductions, for instance, have had about equal chances of turning out badly. Uncertainty can be reduced, or at least be made explicit, using methods such as risk analysis, benefit/cost analysis, environmental impact assessment, and decisionmaking protocols. The central issues for NIS and genetically engineered organisms, a special subset of this group, are the same: how to match an organism's potential for harm to pre-release scrutiny, how to treat high-risk species, and how to anticipate effects in new environments.

AN OUNCE OF PREVENTION?

For some species, prevention is the best strategy. However, port inspection and quarantine are fallible, with diminishing returns above a certain point. Also, some organisms are more easily controlled than intercepted. So aiming for a standard of "zero entry" is unrealistic, especially if prevention comes at the expense of control. When prevention fails, rapid response is essential. So far, such quick action has prevented establishment of the Asian gypsy moth, a major threat to Pacific Northwest forests. Managing non-indigenous pests presents hard choices because funds, technology, and other resources are often limited. Sometimes this means not controlling already widespread organisms, or those for which control is very expensive, or those having lower impacts.

Chemical pesticides play the largest role now in containing, suppressing, or eradicating NIS and they will remain important. An increased number of biologically based technologies can be predicted. Genetic engineering will increase the efficacy of some. Those who develop biological and chemical pesticides face the same difficulties—ensuring species specificity, slowing the development of pest resistance, preventing harm to non-target organisms, clearing regulatory hurdles, and providing profits for manufacturers.

A PATCHWORK OF POLICY

The Federal Government has responded to harmful NIS with a largely uncoordinated

patchwork of laws, regulations, policies and programs. Many only peripherally address NIS, while others address the more narrowly drawn problems of the past. At least 20 Federal agencies are involved, with the U.S. Departments of Agriculture and Interior playing the largest roles. Federal laws leave both obvious and subtle gaps that most States do not fill adequately. Significant gaps exist for fish, wildlife, animal diseases, weeds, species in non-agricultural areas, and vectors of human diseases. Many of these gaps also apply to genetically engineered organisms because they are commonly regulated under the same laws.

Federal agencies manage about 30% of the Nation's lands, many with grim NIS problems. Yet management policies are often inconsistent or inadequate. Even the National Park Service, with fairly strict rules, finds invasions threatening the very characteristics for which some parks were founded.

Federal and State agencies cooperate on many programs related to agricultural pests, but their policies can also conflict, e.g., when agencies manage adjacent lands. Sometimes Federal law preempts State law, more often regarding agriculture than fish and wildlife. Conflicts between States also occur, often without forums for resolving disputes.

State laws are relatively complete for agricultural pests but spotty for invertebrate and plant pests of nonagricultural areas. The State role is most critical for the import and release of fish and wildlife. These laws use a variety of approaches and vary from lax to exacting. While many fish and wildlife laws are weak and inadequately implemented, others present exemplary approaches. Harmful NIS have hit Hawaii and Florida particularly hard because of their distinctive geography, climate, history, and economy. Cooperative efforts have sprung up in both places. Increasingly, State and Federal agencies nongovernmental organizations, agricultural interests, and universities see harmful NIS as a unifying threat and public education as an important tool to alleviate it.

CONGRESSIONAL CHOICES

Congress can select many ways to better protect U.S. resources. Specific actions might include amendments to the Lacey Act and the Federal Noxious Weed Act. Congress might require stricter screening for invasiveness for federally funded efforts using NIS. Congress could direct more funds to weed management on public lands and to resource management in the national parks. Congress could expand environmental education and provide Federal agencies with adequate authority for emergencies.

Imposing new responsibilities without providing money for them does not work. Entrance or user fees could fund more rigorous and scientific decisionmaking and additional control. Fines, levied on those who bring harmful NIS into the country or spread them to new States, could more closely match the real costs of publicly funded management. Federal policy cannot succeed without State help. Model State laws or national minimum standards could ensure that all States have authority to regulate harmful NIS adequately.

NIS are here to stay and many of them are welcome. Problems due to harmful ones are likely to worsen, however. Human migration and population growth, increasing trade and travel, and, possibly, climate change propel species' movements. Countervailing trends—toward stricter screening and more sophisticated control—are weaker. We can envision a future in which harmful NIS are so widespread that economic costs snowball and one

place looks much like another. Or we can imagine a future in which beneficial NIS contribute much to human well-being, harmful ones are effectively limited, and indigenous species are preserved. Choosing this vision, rather than another, is ultimately a cultural and political choice—a choice about the kind of world we value and in which we want to live.

Mr. FIELDS of Texas. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I move to strike the last word.

We have had a lively debate on this legislation. The House has adopted a number of changes, most notably the Taylor amendment, which improve H.R. 1845. Nevertheless, I cannot support this legislation because no matter how you rewrite it, dress it up, or refine it, a National Biological Survey is still a terrible idea.

This bill creates a monster that once unleashed will never be brought under control again. And if you don't believe me, then let two other people make my case.

First, listen to my good friend from Michigan, Chairman JOHN DINGELL, the original sponsor of the Endangered Species Act. The other day on the floor of this House the chairman explained quite clearly how he felt about the Biological Survey. He said:

It is not in the interest of the environment, it is not in the interest of conservation, and it is a bad proposal. It is not going to save money and it is not going to make for better science. Information that might flow up to this body from Fish and Wildlife or from those other agencies will no longer be coming this way because Mr. Babbitt will have his hands right around the neck and windpipe of those agencies.

Proponents of the Survey say we are using scare tactics to whip up opposition to this bill, but I can't think of anything scarier than listening to proponents express their views on the Survey. Not too long ago, Dr. Thomas Lovejoy, science adviser to the Secretary of the Interior, explained the goal of the Survey clearly and unambiguously when he said:

The National Biological Survey will map the whole nation for all biology and determine development for the whole country and regulate it all. * * *

And, if that doesn't scare you, this should: If you vote for the National Biological Survey, you as a congressional representative will become an endangered species. Your constituents will not forget that you voted to allow the Federal Government and its horde of faceless bureaucrats to show up uninvited at their doorsteps to inventory their private property. They will not forgive you if, because of this information, they are denied the use of their property as they see fit. This onerous piece of legislation will make millions of Americans lock their doors. You can be sure—if you vote for this bill—that your constituents will remember who authorized Big Brother to

come looking over their shoulders and peering over their fences.

Think very carefully about this bill. If you vote for it, you will create thousands of new victims like Mrs. Katherine Espy of Texas. I told you about her the other day. She let the Federal Government visit her property back in 1988. To thank her for her hospitality, the Fish and Wildlife Service, based on badly flawed data, listed the little Aguja pondweed as an endangered species. Now, she can't use her property anymore. Mrs. Espy had her worst nightmare come true that day when she opened her door to a nameless stranger who said, "Hi, I'm from the Federal Government, and I'm here to help you." Unfortunately, many other Americans have had that same nightmare. If this bill passes, scores of others will join their ranks.

Madam Chairman, H.R. 1845 is seriously, fatally defective because it does not include important fundamental protections. Our colleague, the gentleman from Louisiana [Mr. TAUZIN], had two amendments that should have been incorporated in this legislation. Under his amendments, human impacts would have been considered, and taxpayers, like Mrs. Espy, would have received financial compensation for the taking of their property. If the proponents of this bill wanted a National Biological Survey that would work for all species—including humans—then they would have accepted the Tauzin amendments. Regrettably, they have chosen not to and this bill is, therefore, irreparably flawed.

Madam Chairman, this new monstrosity with 1,734 Federal agents and a budget of over \$170 million will collect data that will be used to decide what lands are wet, which species are endangered, and what development, if any, will be allowed on millions of acres of private property.

If you support private property rights and do not want to become an endangered species yourself, I urge you to join with me in voting "no" on final passage.

Mr. TAUZIN. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, we have had a good debate today. I think it is rather more than just a debate, it is the open skirmish in what will be a real war in this chamber over what kind of balance we want to strike between environmental protection and the protection of human beings on their property, in their jobs, and in the value of our society. But in that regard, let me join my friend, the gentleman from North Carolina [Mr. TAYLOR], in suggesting that you vote for this legislation.

First of all, the Biological Survey has already been authorized by this House last week when we adopted the Interior appropriations bill. That bill provided the money and the authoriza-

tion for the Secretary to conduct the survey. In fact, if you dial right now the office in the Secretary's Office, you will find they are answering the phone "National Biological Survey." It has already started.

Madam Chairman, in the appropriations bill we were able to obtain only one protection, and that is the point of the Taylor amendment that required consent before entering private property, consent in writing. And that is good. But without this bill, all the other important protections we have built into this survey will, unfortunately, be lost.

Madam Chairman, let me cite some of them for you. In this bill we have prohibited the use of volunteers. That vote will come up again when we rise from the Committee of the Whole, and I hope this House will sustain that very important vote.

Second, we have in this bill passed the entire Taylor amendment, the full range of protections for private landowners against the entry by individuals without the consent of that landowner.

We have passed the Hayes amendment providing that the survey should first be conducted on public lands before private lands are surveyed.

We have passed an important amendment today to make sure that this bill was addressed to true biological resources, not to the land and ecosystem itself.

We have passed the provisions of the bill that give the landowner the right of appeal and insurance that the information gathered on his property is in fact good and reliable information before management actions are taken.

I wish we could have addressed the two issues I raised that the Chairman has ruled nongermane. But those issues are going to come up again. We will have a chance to debate whether human impacts and private property compensation are going to be part of our environmental laws. Both the Clean Water Act and the Endangered Species Act are up for reauthorization this Congress. We will get a chance to debate those. This is just the first battle.

Madam Chairman, let me tell you why a good data base is essential in America if we are going to have sound and effective environmental policy for our country and why it is important in the end that we debate the issues before us of private property rights and human impacts.

In my own State of Louisiana we got some good news this week. Up until this week we were losing about 50 square miles of our precious lands along the coast of Louisiana to the natural forces of erosion and land sinking and geodetic syncline as the Delta of the great Mississippi River continues to sink. Fifty square miles.

This year they reported to us the news is a little better; we are down to 35

square miles a year. And, guess what? Most of it is private property. Most of it is owned by individuals who cannot even get permits to protect their own private property against erosion under the restrictive environmental laws that are currently on the books.

Data is so bad, the laws are so miswritten, that property owners and American citizens are fighting the good goals of environmental protection, are not doing the things they ought to be doing to protect plants, animals, and land, because they cannot get permits to do it and because they feel that to cooperate with Federal authorities means further losses of their individual rights in America.

Madam Chairman, these laws need badly to be revisited. When we revisit them, hopefully we will do it on a good scientific basis, with peer review and the right of appeal. Hopefully before we are through, this Congress will recognize the right of compensation without going to the Supreme Court, and hopefully this Congress will recognize that environmental laws ought to be enacted and ought to be implemented with respect for human beings, rather than simply running over them, irrespective of their rights to jobs and property.

Madam Chairman, I will vote for this legislation, because without it the good restrictions we have adopted on this floor are lost, and we ought to have them. I will work with the chairman of our committee to see to it that hopefully in conference we perfect some of the language we enacted today.

Madam Chairman, this fight has just begun. The battle for balance has just started today. Stay in close touch with this debate. It is one that I think is going to affect dramatically the fabric of our society, our real commitment to environmental concerns, and balances, as we consider human impacts, human jobs, and private property rights in America.

Mr. VENTO. Madam Chairman, I move to strike the requisite number of words.

The CHAIRMAN. Without objection, the gentleman from Minnesota is recognized.

There was no objection.

Mr. VENTO. Madam Chairman, I rise in favor of the proposition before us.

Madam Chairman, I rise to put in the RECORD a correction to the statement of the gentleman from Texas [Mr. FIELDS] and in past statements made by other Members that attributed statements to Dr. Thomas Lovejoy, a science adviser to the Secretary of the Interior. On September 14, 1993, at a hearing before the Subcommittee on Technology, Environment, and Aviation of the House Committee on Science, Space, and Technology, the gentleman from California [Mr. CALVERT] introduced a quote attributed to Dr. Thomas Lovejoy, science adviser to

the Secretary of the Interior and member of the National Biological Survey steering committee, pages 54 and 55 of the hearing transcript.

At that same hearing, Secretary of the Interior Babbitt repudiated the quote attributed to Dr. Lovejoy in Dr. Lovejoy's absence.

On October 6, 1993, the gentleman from Texas [Mr. FIELDS] and others on this floor and again in debate today introduced the same quote on the floor of the House during debate on this measure, the National Biological Survey.

On October 20, Dr. Lovejoy submitted a transcribed copy of his remarks from which the quote was reportedly taken, with a letter indicating that attributing this quote to him was not simply a gross misstatement of what he said, but rather it turns out to be a fabrication.

Additional material in the form of a notarized letter from the transcriber of this material at the event indicates that the transcript sent to us by Dr. Lovejoy represents an accurate and complete account of his statement at this conference. And, further, that the transcript represents only the deletion of informal greetings and closings and punctuation as interpreted by the transcriber.

Based on this record, it would appear that Dr. Lovejoy has had attributed to him a gross misstatement of his remarks and views.

It is my opinion that our RECORD should reflect in Dr. Lovejoy's interest a proper correction for attributing false statements to him. I submit the appropriate pages from the Science Committee transcript, the letter from Dr. Lovejoy, and the notarized letter from the transcriber as a correction to the RECORD.

Madam Chairman, I also have a letter that he has sent to me concerning this matter. I think that it would be appropriate for Members to correct the RECORD and to qualify their prior comments and mistaken quotes and views of Dr. Lovejoy in this matter.

OCTOBER 20, 1993.

Hon. BRUCE F. VENTO,
Chairman, Committee on Natural Resources,
O'Neill House Office Building, Washington,
DC.

DEAR MR. CHAIRMAN: I would like to respond directly to comments made during recent debate on legislation to authorize the National Biological Survey. I can say without hesitation that I never made the statement attributed to me during debate on Wednesday, October 6, 1993. I have reviewed a transcript of my remarks at the "From Rio To The Capitols" Conference on May 26, 1993, in Louisville, Kentucky. Enclosed is a copy of the transcript.

What I did discuss is the need for better biological information, both as a basis for new economic growth and to help avoid some of the wrenching economic and ecological dislocations that occur when we find out about conservation problems too late. Better information, which the National Biological Survey can provide, enables government and private decisionmakers to respond before condi-

tions deteriorate, and flexibility is lessened. Such early solutions can help reduce the need for regulatory controls. This is quite different from both the spirit and the letter of the statements attributed to me.

Thank you for helping me set the record straight. Please feel free to contact me if you have any additional questions.

Sincerely,

THOMAS E. LOVEJOY.

Enclosure.

OCTOBER 22, 1993.

TO WHOM IT MAY CONCERN: The attached document represents the remarks of Dr. Thomas Lovejoy of the Smithsonian Institution as transcribed from tapes which were recorded during the "From Rio to the Capitols: State Strategies for Sustainable Development" Conference which was held in Louisville, Kentucky, May 25-28, 1993. Dr. Lovejoy spoke on the second day of the conference, May 26, 1993.

Note that we have only deleted informal greetings and closings, as well as a portion of an extemporaneous story that did not add to the substance of the presentation. Dr. Lovejoy did not provide written material, therefore the transcript style (i.e. punctuation) was interpreted by the listener.

This presentation is available on video and audio tape from Rebecca Stutsman in the Office of Governor Brereton C. Jones. She can be reached at (502) 564-2042.

Sincerely,

ANN JAMES,
Conference Coordinator.

Enclosure.

FROM RIO TO THE CAPITOLS: STATE STRATEGIES FOR SUSTAINABLE DEVELOPMENT

The point I want to dwell on this morning is the role of biology and living resources in our quest for sustainability. On the one hand, most environmental problems simply are not environmental problems unless they affect living systems such as human health and biological diversity in ecosystems. On the other hand, biological resources have an innate capacity to renew themselves so that if managed wisely they can be resources in support of human society for indefinite lengths of time.

About two years ago, just before Memorial Day weekend, I was contemplating a leisurely trip from Washington, D.C. to Seattle for a hike in the Olympic National Forest when my weekend plans had to be severely modified. Instead on a Thursday night I flew to London; Friday I went to Cambridge, delivered a eulogy and Saturday I found myself flying from London to Seattle arriving like a limp rag. In the late afternoon I made my way to the ferry and took it across Puget Sound and arrived on Bainbridge Island. I then had to be driven to my original destination for the weekend. I was able to shower and change in time for guests and dinner. When we sat down at the dinner table, you can imagine I was looking forward to not doing too much, listening and relaxing until such time as I could steal away and go to bed.

Three minutes into dinner, in this sort of mood, a noted educator at the table asks me, "And what about the owl?"

Being tired enough at this point, I simply shot back, "Well, how do you feel about libraries?"

At that point my hostess thought I was losing my mind. But, I went on to explain that each species represents a package of solutions to a unique set of biological problems. And, that in fact, biological diversity represents the fundamental library on which the life sciences—arguably the branch of

sciences most important in support of ourselves as living organisms—can be built.

If you think about it, we have learned some extraordinary things in the last 20 years about living systems and what they are capable of because of biological diversity that nobody had looked at before.

Consider, for example the discovery of the biological communities clustered around the rifts in the bottom of the ocean out of which heat and mineral nutrients pour. We have discovered that it is possible for living organisms to live not only at those pressures at the bottom of the sea, not only at temperatures in excess of the boiling point of water, but they are able to do so depending not on sunlight as the fundamental source of energy driving those biological systems, but on the primal energy of the earth.

One can go on and point out rather simple minded examples, but powerful ones, such as how a moldy cantaloupe led to the whole notion of antibiotics; how a cow-pox virus led to the whole notion of vaccinations—concepts that are extremely powerful in support of human society.

The point I want to make goes beyond the library concept.

The point I want to make is that although we already depend a great degree in our society on biological resources, whether it be in the form of food or medicines or timber, we are in fact just at the moment of entering an age of biotechnology where we will be able to extract benefit from biological diversity—from nature—at the level of the molecule. It will be possible to create wealth from biological diversity at the level of the molecule.

The best example I have encountered so far involves a biochemical reaction with a name you will soon find surprising numbers of people are familiar: the polymeric chain reaction. Why will people know this name? Because the reaction is at the heart of the movie, "Jurassic Park," about creating dinosaurs from the DNA in the blood sucked by mosquitoes tens of millions of years ago. A lot about the movie is fanciful, but the actual reaction of being able to multiply the genetic material through this reaction is very real and it is a fundamental part of the world economy already.

This reaction involves the application of heat which unravels the two strands of the chromosome and then an enzyme which causes the two strands to replicate at the end of which you have two chromosomes. The chain reaction allows you to do this over and over again. In fact, if you go to the doctor today with a suspected strep throat, you no longer have to wait around for two or three days for the offending organism to be grown in culture until there was enough that you could identify it properly for the diagnosis and prescription. Today, you can get this information in the space of a few hours.

For years, people working in molecular biology knew about the possibility of this reaction but they couldn't find an enzyme that was resistant to heat. Finally, somebody had the bright idea that somewhere in nature there must exist enzymes which would do the trick to convert this into a chain reaction. This is precisely what happened. Somebody went out to Yellowstone National Park and there they found a bacteria which has just such an enzyme. So, today, a major portion of diagnostic medicine is possible because of that enzyme. A major portion of forensic medicine is possible because of that enzyme. A major portion of the biotechnology depends on that enzyme. We are literally talking about billions and billions of dollars of economic activity driven by this single molecule.

That is why I can make the statement that we are on the verge of being able to create new wealth based on biological systems at the level of the molecule.

That, of course, is happening at just the time when significant amounts of biological diversity are being lost. Some of it is being lost in very obvious ways. But, a lot of it is being lost simply because we don't even know about it. It is likely that science has only described one out of ten species of plants and animals and microorganisms with which we share this planet. Yes, the majority of that ignorance lies in the tropical forests along the equatorial regions of the globe—the "Fort Knox of biology" as Mike Robinson would call it. Some of it lies in the sea, but some of that ignorance is right here at home. Sometimes it is because nobody has studied the microorganisms enough so they do not have names. Other times it's because we have not been systematic about doing the basic chore of inventorying our biological resources.

Agenda 21 addresses this issue and urges all nations to set up national biological surveys. As you heard from the introduction, it is an exciting opportunity for me to serve as science advisor to the Secretary of Interior at a time when the national biological survey is being created.

I should point out that the department is being re-created. There was a United States Biological Survey founded in 1895. It was in the Department of Agriculture. It was brought over to the Fish and Wildlife Service in 1939 and as priorities shifted and funding dwindled away.

Today, if you study the Department of Interior as an evolutionary biologist would, you can find the surviving scientists in the national fish and wildlife laboratories housed in the Smithsonian's National Museum of Natural History.

Today's survey is an extraordinary challenge. If you stop to think about it, there is a spectrum of kinds of surveys. On one end of things there is a survey of non-changing resources. At the other end of that spectrum is a survey of instantaneously changing phenomenon—that's the weather service. Somewhere in between those two lies the biological survey. The point I want to make here is that biological systems are dynamic. Basically, when you set up a biological survey you are setting up a permanent agency. There is no way a job can be done once and for all.

The other major complication about setting up a national biological survey is that there already is survey activity in bits and pieces across this nation. There are states which have formal biological surveys like the state of Illinois. Forty-four of the 50 states have a state heritage program, perhaps overly weighted from this point of view towards endangered species, which have been set up through The Nature Conservancy. And, there are repositories of data through museums and botanical gardens, and various agencies throughout the federal government. There is no way that you can create a biological survey without it being a collaborative mosaic which invites everybody to the table. There is quite a challenge here.

What I am delighted to tell you is that in my lifetime as a biological scientist, I have never seen so much excitement in the scientific community. In fact, our biggest problem is that there will not be tremendous amounts of resources to devote to this initially. It would be wonderful to be able to harness all that enthusiasm to the fullest extent.

The notion is to have a national biological survey in place by October 1. This will be done primarily through a budget amendment through the Department of Interior. We are talking about a \$180 million package within Interior. It would basically cobble together in a single biological research agency all the existing research in biology in eight different research bureaus within the Department of Interior.

I fully anticipate that on October 1st, Bruce Babbitt will go down one of those long halls in the Interior Department and come to a door that will say "National Biological Survey" and there will actually be somebody inside who is starting to take charge of building this organization.

There is a lot to be done. In particular we have to be careful that the customers who have been dependent on research being carried out by those field scientists who will be transferred into this unit will not be short-changed. A very important part of this exercise is not to spoil those relationships. In my view, if we do it right it will turn out not only to be undamaging to those customers—within them I include the state fish and game agencies—but it will also provide a wonderful opportunities for better information about our biological resources and management.

In the end, the goal here as Bruce Babbitt has set it forth, is to find ways in which we can live within our ecosystems without destroying them. Let's face it—we are already there. You cannot protect biological diversity just by putting fences around it. Our relationship to the land is far more complex than that. And, if we can provide the kind of information that a survey is all about, map the nation biologically and then get proactive about how development proceeds at the local level. By tight collaboration among the federal, state and local governments we should be able to get way ahead of those "national train wrecks" as the Secretary of Interior likes to call them.

It is my own personal opinion that had all of this been in place 30 years ago, that is, wilderness areas were created in the Northwest, more of them would have had old-growth forests in them and we might never have come to the point of having a spotted owl problem. The owl is merely a symptom of the old-growth forests under stress.

We have a very interesting case we are trying to work on right now in southern California involving the California Gnat-catcher which is one many species that occurs in the coastal scrub which has been under a great deal of pressure. As I understand it, there is very good collaboration between the three counties—Los Angeles County, Orange County and San Diego County—and the State of California and scientists from the Interior Department to develop a plan for economic development proceed in that part of California in a way that doesn't destroy the basic ecosystem.

What I really want to leave you with is that if we are really going to take advantage of the tremendous power of biology in our quest for sustainability, we need to do it in a very practical, on-the-ground kind of way nurtured by the right kind of science.

Thank you very much.

TESTIMONY FROM HEARING

Mr. VALENTINE. Thank you, sir.
The gentleman from California, Mr. Calvert.

Mr. CALVERT. Thank you, Mr. Chairman.
Let me apologize in advance, Mr. Secretary. We probably need to leave in a few

minutes to vote. But I also have some very large concerns about the National Biological Survey.

I am from Riverside County, California, the home of—of course, our Chairman of our committee is also from that area. We have several species of fly, of course the famous Stephens kangaroo rat, the blacktailed gnatcatcher and others. And it has caused great consternation under the Endangered Species Act. In fact, we have a person, when you mentioned small landowners, who has a home on a quarter-acre lot, whose home burned down in my district and cannot now get a permit to rebuild their home, unfortunately. We found that small landowners are in fact very much impacted by the Endangered Species Act.

I have a quote here apparently from a member of the National Biological Survey's steering committee and one of your advisors, and that quote is what he believes his obligation is under the National Biological Survey. And that is: "To map the whole Nation for all biology and determine development for the whole country and regulate it all, because that is our obligation as set forth in the Endangered Species." Dr. Thomas Lovejoy.

From my perspective, and I am sure from many others, that creates—causes great concern as far as local land use issues in California and certainly throughout the West. And we are concerned about maintaining habitat areas and building ecosystems, which we have done a lot of in Riverside County, which I know you are aware of, but this type of comment certainly causes some concern. Would you like to comment on that?

Secretary BABBITT. Certainly. I have the greatest respect and admiration for Tom Lovejoy. I proceed then to disavow those remarks as not reflecting the policy of the Interior Department. I think those remarks kind of skip, you know, an enormous amount of territory. And if I could relate it to your experience in California, land use planning is not a national function, it is not an Interior Department function, it is not a Federal function. In my judgment, it should not be.

Mrs. MORELLA. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, once again I speak in support of the National Biological Survey Act. Consolidating biological research, which is now handled by eight different agencies, makes good management and economic sense. By monitoring the Nation's natural resources, it is hoped that we will be alerted to potential threatened and endangered species and take early action to avoid the spotted owl crisis of the Pacific Northwest.

Resource managers, both public and private, will have access to sound biological information over a period of time, which will enable them to identify important trends. For example, a long-term study of species living in rivers can provide valuable information about water quality trends to State and local water quality agencies and private industries. It can also lead to a better understanding of the relationships between species' survival and habitat preservation.

Madam Chairman, I support private property rights. I believe that property

owners must be compensated when their property is taken for public use under the fifth amendment. Under the National Biological Survey, property rights are already protected through existing State and local trespass laws. The NBS will have no regulatory authority and it cannot be used to take private property.

The NBS is preventive medicine. By giving us a picture of our biological diversity, it will alert us to potential problems before they develop. I urge a "yes" vote for the National Biological Survey Act.

Ms. SCHENK. Madam Chairman, I rise today in strong support of H.R. 1845, the Biological Survey Act. The establishment of a Biological Survey in the Department of the Interior will provide the good science necessary to make good policy decisions. It is not a mechanism for imposing Federal land management planning, but rather, a tool which will be available to aid everyone involved in land use decisions from the individual property owner to the multinational corporation—from the Federal Government to the local zoning board. Its aim is to collect and disseminate scientific data more effectively—to provide a base of information on which all decisionmakers can rely.

Madam Chairman, I was quite disturbed at the tone taken by opponents of this legislation when it was last discussed on this floor. This legislation does not threaten anyone's property rights, and to characterize it as such misses the basic point and does this debate a disservice. Good information is essential to good policy. The Biological Survey will provide our Nation with reliable, peer-reviewed, scientific data necessary for sound public and private policy.

Another untenable argument raised against H.R. 1845 is that more information will inevitably lead to more regulation. There is no reason to assume that a better understanding of our biological resources will result in increased regulation.

Data from the Survey will generate information that will help us site development projects intelligently and allow them to proceed without the environmental pitfalls they now face.

Far from working against economic interests, the Survey can help us work for them. The National Biological Survey is a critical scientific tool, one that we cannot afford to be without. I urge my colleagues to support this bill.

Recently, John Sawhill, president of the Nature Conservancy and a former official in the Nixon and Ford administrations, wrote an op-ed piece for the Washington Post. Mr. Sawhill dispels some of the misleading arguments offered by opponents to this legislation. For instance, he notes that all current laws protecting property will remain in force and the bill includes safeguards against unauthorized trespass—safeguards that have been strengthened by amendments in the House.

Mr. Sawhill also points out that H.R. 1845 will save money because we will be able to take appropriate and less expensive action in regard to ecosystem protection. Species will be identified before they become threatened or endangered and protection efforts require radical and expensive intervention. By helping

to determine what areas need to be included in a nature preserve—as well as what doesn't need to be included—we can avoid costly errors.

In addition, Mr. Sawhill's article shows how the Survey can help us achieve both economic and environmental goals. He cites the example of Duke Power which sought to build a power line across the ecologically sensitive Panthertown Valley. The company was able to draw on a detailed biological survey of the valley, and by doing so, Duke located its power line in a way that did not disturb the area's rare species. The project was completed promptly and without the potential expensive litigation. Duke Power's experience should illustrate to all of us how good environmental information can lead to both development and the protection of ecosystems.

I submit the full text of Mr. Sawhill's article:

[From the Washington Post, Oct. 7, 1993]

ECOLOGICAL SCARE TALK

(By John C. Sawhill)

Sobered by the decade-long spotted owl controversy in the Pacific Northwest and determined to avoid such costly conflicts in the future—what Interior Secretary Bruce Babbitt calls "national train wrecks"—the Clinton administration wants to switch endangered species conservation onto a different, less controversial track.

Unfortunately, that has not stopped anti-environmental activists from gearing up to derail this new effort. Employing classic scare tactics, these opponents are trying to paint the administration's plans as an assault on private property rights.

In fact, this new direction in conservation—called the ecosystem approach—threatens no one's property rights. To the contrary, it makes eminent sense for business, individuals and the country. Ecosystems are the support systems for species. Instead of waiting for a plant or animal species to reach the brink of extinction and then involving the Endangered Species Act, the new philosophy would encourage preventive measures across entire ecosystems to keep species from becoming endangered in the first place.

Right now, though, our knowledge of the distribution, location and health of our country's native plants, animals and ecosystems is incomplete at best. To implement the ecosystem approach without a systematic national scientific inventory of those resources would be like setting off on a cross-country journey without a road map.

There is a proposal in the works to create just such a map. The National Biological Survey, an ecological equivalent of the U.S. Geological Survey, would develop a comprehensive catalogue of the nation's biological resources. This is a proposal that deserves the support of Americans interested not only in preserving our natural heritage but also in saving money. In conservation, as in all things, good information drives good management decisions and generates cost-effective results.

Not coincidentally, it's the information that the National Biological Survey will generate that has the anti-environmental crowd so exercised. Surely, they argue, the survey will locate all kinds of new endangered species, and thereby prohibit property owners from using their land in any way—and, to add insult to injury, doubtless some zealous government biologist will trespass on private land to collect the information in the first place.

The hyperbolic tone of congressional testimony by the National Inholders Association typifies anti-environmental opposition to the survey. The purpose of this legislation is to curtail or eliminate human uses of natural resources and transfer privately-owned resources into public hands without compensation," the association blustered. "The [survey] will be no more than fuel for the existing engine that is precipitating the train wrecks."

Nothing could be farther from the truth. Read the legislation establishing the National Biological Survey and you'll find that all current laws protecting property owners will remain in force. It also includes safeguards against unauthorized trespass. Moreover, the better data provided by the survey will be just as likely to provide grounds for reducing regulations as for imposing new ones.

In fact, far from halting development, biological survey data survey should generate information that will help us site development projects intelligently so that they can proceed more efficiently. In focusing on the property rights issues, the naysayers have tried to deflect attention from the many other position uses of information from the National Biological Survey.

On the scientific level, for instance, the survey will be an archive for information on the locations and populations of the plants, animals and types of natural communities found in the United States. This information will in turn enable scientists to monitor the status of various at-risk species allowing them to identify any rapid declines and take appropriate, lower-cost action before a particular species becomes endangered.

(To a significant degree, the platform for this inventory already exists—in the network of 50 state Natural Heritage Programs. The scientists working in these programs have done extraordinary work in locating biodiversity "hot spots" and helping set protection priorities.)

Information from the National Biological Survey will also improve the design and management of parks and natural areas. The sad case of the Dusky Seaside Sparrow—a small bird once native to Florida but now extinct—shows us that we can set aside land for an endangered species and still see it continue to decline and even go extinct. By helping determine what needs to be included in a nature preserve—as well as what doesn't—the survey can help avoid these tragic and expensive errors.

Perhaps most important, though, the survey could help close the growing schism between economic and environmental goals. Indeed, information from the survey has enormous potential applications for the private sector.

Four years ago, for example, Duke Power, the North Carolina utility, wanted to build a power line across the ecologically sensitive Panthertown Valley. This plan faced numerous obstacles, not the least being the presence of several endangered species. But by drawing on a detailed biological inventory of the valley, Duke was able to locate its power line without disturbing the area's rare species. The company completed its project promptly, without expensive litigation or regulator penalties.

Despite what the alarmists would have you believe, the National Biological Survey poses no threat to private property rights or landowners. It is one opportunity we can't afford to pass up.

Mr. SAXTON. Madam Chairman, I rise in support of H.R. 1845, the National Biological

Survey Act. As amended, this bill takes most people's concerns into consideration.

It provides for the full protection of private property rights and privacy. It ensures quality control of data and competitive peer review.

And, more importantly, it provides a mechanism to collect biological information while avoiding the prohibitive costs and bureaucratic quagmire currently plaguing landowners and the managers of our Nation's natural resources.

According to the Nature Conservancy, over 60 percent of all requests for biological data from the Natural Heritage Program emanate from private entities and commercial businesses seeking to avoid economic disaster before investing finances in jobs.

The current process for obtaining biological information saddles business people with prohibitive costs, bureaucratic burden, and blind mandates.

The National Biological Survey will provide the means to collect the necessary biological data, avoid most bureaucratic inconsistencies and duplication, and facilitate the cooperation and information that are essential for economic decisionmaking.

As our Nation reexamines the laws designed to protect and sustain the health of our ecosystems and natural resources, it is imperative that decisions be based on scientific information rather than political rhetoric. More importantly, the private sector must be included and rewarded for the development of cooperative partnerships. H.R. 1845 is an essential step toward achieving these goals.

I urge my colleagues to support its passage.

Mr. REED. Madam Chairman, I rise in support of H.R. 1845, the National Biological Survey Act of 1993.

A National Biological Survey will enhance our ability to make sound conservation decisions and improve our ability to handle the important challenge of conserving our Nation's biological heritage.

In Rhode Island, many organizations and State agencies rely upon the State's Natural Heritage Program for identification of the most critical sights in need of protection. Heritage data has been the key to the protection of approximately 15 acres of globally significant coastal plain pondshore in South Kingstown; nearly 10 acres of piping plover and least tern nesting habitat in Little Compton, and 150 acres of rich woodlands in Lincoln, which supports over 20 species of rare plants.

Unfortunately, this legislation is being attacked by opponents who are misrepresenting the purpose and effects of the bill. Contrary to what opponents assert, H.R. 1845 does not allow the Government to take private property. The new bureau established under the NBS will have no regulatory authority and will not make resource management decisions. The House has already passed an amendment to the bill protecting private property rights by requiring that propertyowners give written permission before a surveyor can enter their land. Property rights are further protected through existing State and local trespass laws.

Madam Chairman, scientists consider one of the most serious environmental threats to the planet and human welfare to be the loss of biological diversity. Our understanding of these resources has enormous bearing on national

security, human health, food protection, biotechnology, and development of pharmaceuticals. I urge my colleagues to support the passage of H.R. 1845.

Mr. EDWARDS of California. Madam Chairman, I rise in strong support of H.R. 1845, a bill to establish a National Biological Survey within the Department of the Interior.

For most of our Nation's history, we have enjoyed an abundance of natural resources in this country, and we have been able to make use of them, even exploit them, without regard to the consequences. However, as the demand on the world's resources has grown, we are struggling to accommodate the increasingly complex needs of society at a time when our resources are dwindling.

The competing demands of resource conservation and development have led to the controversies and potential economic disruptions that surround endangered species decisions. Secretary of the Interior Bruce Babbitt developed the National Biological Survey to help put an end to the conflicts between environmental and economic interests in this country. Although no one is against protecting our natural resources, our approach toward conservation in the past has been flawed. Without proper scientific data and a full understanding of the interconnection between all the elements of an ecosystem, we have been forced to take a piecemeal approach toward habitat and species protection. This has led to the numerous environmental train wrecks that we face today, which will continue to multiply if we do not develop the proper tools to manage our ecosystems better.

The NBS will create a coordinated effort to inventory and monitor the Nation's biological resources. The scientific information gathered can be used to develop effective ecosystem management strategies. Instead of a system that allows plant and animal species to reach the brink of extinction before any action is taken to remedy the situation, the NBS will allow preventative measures to be developed on an ecosystem basis to keep species from ever becoming endangered at all.

It distresses me that this good faith attempt to seek a solution to end these bitter conflicts has been attacked so brutally by antienvironmental groups. They have resorted to scare tactics, predicting the discovery of countless new endangered species, leading to vast new areas of private property that will be subject to government control.

This thinking is narrow minded and misguided. We will accomplish nothing by burying our heads in the sand and deliberately remaining unaware of the condition of our natural resources. There is nothing to be gained from ignorance. The information provided by the NBS can be used to identify areas at risk so they can be treated before extreme tactics, such as those that may require land-use restrictions, are necessary.

I believe that we have a responsibility to be proper stewards of our planet, to ensure that the biological diversity and natural beauty of our resources are preserved for generations to come. I do not understand the reluctance of some Members of this body to adopt a program that will enable us to better understand our biological systems and the benefits they provide to society.

Not long ago, it was the Government's policy to encourage the filling and destruction of our wetlands. This was done out of ignorance over the tremendous benefits that wetlands provide. Now, however, we understand how valuable wetlands are, but already over 50 percent of the Nation's wetlands have been lost. Today, we are struggling to preserve the few wetlands that remain, in some cases at tremendous cost and effort.

The National Biological Survey will help us avoid costly mistakes like this one in the future. If nothing else, we should be seeking to learn from our mistakes, not perpetuate them.

I am also concerned that some individuals feel the NBS will be a tool with which to attack the private property rights of individuals, and I would like to address this issue.

As many of you know, I have become particularly interested in the debate over how best to protect the Nation's wetlands. I know that some individuals have begun to view the environmental regulations concerning the proper use of wetlands as an infringement on private property rights, and are seeking legislative guidelines to establish when compensation should be granted.

Yet, wetlands, like any other natural resources, must be protected because of the vast public benefits they provide. It is the undisputed duty of the government to look out for the public welfare, and thus private property rights must be balanced by public health and safety concerns. In the case of wetlands, regulations aimed at their protection exist because they serve important natural functions vital to the health and safety of the public.

Thus, the issue is not really the rights of the private property owner versus big Government. The issue is really the conflict between one individual's property rights versus the property rights of other individuals. In the case of wetlands, when they are destroyed, downstream flooding can occur, or nearby water supplies can become contaminated. That is why the courts have held that nuisancelike property uses cannot be grounds for a taking. But defenders of private property rights often ignore the damage done to these downstream propertyowners.

Proposals to legislate a definitive threshold where a taking occurs disregard the standards carefully worked out by the courts. Determining the legitimacy of a claim must not be based on rigid statutory requirements, but on the unique facts of each case, and therefore takings claims must be reviewed on a case-by-case basis.

We have nothing to fear from the National Biological Survey. It will act as an independent science bureau, and will not advocate positions on resource management issues. The data gathered from the NBS is just as likely to be used to identify the presence of endangered species as it is to demonstrate the health of a species population, and provide grounds for reducing regulation.

I urge my colleagues to resist the scare tactics being used to derail this worthy program, and vote in favor of H.R. 1845, and against any amendments which seek to weaken it.

Mr. McDERMOTT. Madam Chairman, I regret that I was unable to make a statement during the consideration of the National Biological Survey Act, H.R. 1845, when it came to

the floor yesterday, but I was suffering from the flu. Today I submit for the record my strong support for the National Biological Survey Act.

The National Biological Survey [NBS] provides an opportunity to gather comprehensive information about the Nation's biological resources, giving biologists and policymakers the tools to make better decisions about how to manage economics and biodiversity in harmony with each other. The President and Vice President understand that economics and the environment must work together; this bill provides the necessary groundwork to make that synergistic relationship a reality.

Our Nation's wealth and heritage is built on healthy ecosystems. Agriculture, manufacturing, fishing, forestry, and many other important components of our national economy are directly tied to the health of ecosystems and the species that compose them. The NBS will provide information about the well-being of sensitive species before they become listed as threatened or endangered, enabling these critical industries to proceed uninterrupted while ensuring the viability of the ecosystems upon which they depend. Businesses and environmentalists agree that sensitive species should be attended to before they are listed under the Endangered Species Act; the NBS provides a vehicle to do just that.

Under the current nonsystem, scientists do not know where sensitive species are until businesses apply for permits. With such scant knowledge about the status and location of most species, economic development is subject to last-minute changes due to uncertainty about species viability. The NBS would provide permitting agencies with enough information to make thought-out, rational decisions about economic development instead of being forced into derailing good projects because of an information deficit. The Survey will provide cost-effective results that will benefit businesses as well as our environment.

Finally, the NBS is not a threat to private property rights. On the contrary, it enhances the ability of private property owners to make long-term, reliable decisions about land use. The program adheres to all laws protecting private property owners, including those prohibiting trespass.

The NBS will provide information critical for rational economic development and protection of species upon which our ecosystems depend. I add my strong support of the program to that of the majority of the House. If this program becomes public law, it will illustrate the cooperative relationship between biodiversity and economics in our Nation.

□ 1640

The CHAIRMAN. Are there any further amendments to the bill?

The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. McNULTY] having assumed the chair, Mrs. MINK, Chairman of the Whole House on the State of the Union, reported that

the Committee, having had under consideration the bill (H.R. 1845) to establish the Biological Survey in the Department of the Interior, pursuant to House Resolution 252, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole?

Mr. DREIER. Mr. Speaker, I demand a vote on the amendment offered by the gentleman from North Carolina [Mr. TAYLOR], regarding written permission of landowners.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment?

Mr. VENTO. Mr. Speaker, I demand a vote on the amendment offered by the gentleman from Louisiana [Mr. TAUZIN], dealing with volunteers.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment?

If not, the Clerk will report the Tauzin amendment on which a separate vote is demanded.

The Clerk read as follows:

Amendment: In section 3(c)—

(1) strike paragraph (2); and

(2) in paragraph (1)—

(A) strike "(1) IN GENERAL.—";

(B) in subparagraph (B) insert "and" after the semicolon at the end;

(C) in subparagraph (C) strike "and" and insert a period;

(D) strike subparagraph (D); and

(E) redesignate subparagraphs (A), (B), and (C) in order as paragraphs (1), (2), and (3).

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. SOLOMON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule XV, the Chair announces that he may reduce to a minimum of 5 minutes the time for any subsequent votes on amendments adopted in the Committee of the Whole. This is a 15-minute vote, which may be followed by a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 194, not voting 12, as follows:

[Roll No. 528]

AYES—227

Abercrombie	Baker (CA)	Bentley
Allard	Baker (LA)	Bereuter
Andrews (NJ)	Ballenger	Bevill
Andrews (TX)	Barcia	Bilirakis
Applegate	Barlow	Bliley
Archer	Barrett (NE)	Blute
Armey	Bartlett	Boehner
Bachus (AL)	Barton	Bonilla
Baesler	Bateman	Brooks

Browder	Hastings	Peterson (MN)
Bryant	Hayes	Petri
Bunning	Hefley	Pickett
Burton	Heger	Pombo
Buyer	Hoke	Pomeroy
Callahan	Holden	Portman
Calvert	Houghton	Poshard
Camp	Huffington	Pryce (OH)
Canady	Hunter	Quillen
Chapman	Hutchinson	Quinn
Clinger	Hutto	Regula
Coble	Hyde	Reynolds
Collins (GA)	Inglis	Ridge
Combest	Inhofe	Roberts
Condit	Istook	Rogers
Cooper	Jefferson	Rohrabacher
Costello	Johnson, Sam	Roth
Cox	Kaptur	Roukema
Cramer	Kasich	Rowland
Crane	Kim	Royce
Crapo	King	Santorum
Cunningham	Kingston	Sarpalius
Danner	Klecza	Saxton
de la Garza	Klink	Schaefer
Deal	Knollenberg	Schiff
DeLay	Kolbe	Schroeder
Diaz-Balart	Kyl	Sensenbrenner
Dickey	Lambert	Shaw
Dingell	Laughlin	Shuster
Dooley	Lazio	Siskis
Doolittle	Lehman	Skeen
Dornan	Levy	Skelton
Dreier	Lewis (CA)	Smith (IA)
Duncan	Lewis (FL)	Smith (MI)
Dunn	Lightfoot	Smith (OR)
Edwards (TX)	Linder	Smith (TX)
Emerson	Lipinski	Solomon
English (OK)	Livingston	Spence
Everett	Lloyd	Stearns
Ewing	Manzullo	Stenholm
Fawell	Martinez	Stump
Fazio	Mazzoli	Sundquist
Fields (LA)	McCandless	Swift
Fields (TX)	McCollum	Talent
Fish	McCrery	Tanner
Flake	McHugh	Tauzin
Fowler	McInnis	Taylor (MS)
Franks (CT)	McKeon	Taylor (NC)
Franks (NJ)	McMillan	Tejeda
Frost	Michel	Thomas (CA)
Gallegly	Miller (FL)	Thomas (WY)
Gallo	Minge	Thornton
Gekas	Molinari	Torkildsen
Geren	Mollohan	Trafficant
Gillmor	Montgomery	Upton
Gingrich	Moorhead	Volkmer
Glickman	Murphy	Vucanovich
Goodlatte	Murtha	Walker
Goodling	Myers	Walsh
Goss	Nussle	Weldon
Grams	Ortiz	Whitten
Grandy	Orton	Wilson
Gunderson	Oxley	Wolf
Hall (TX)	Packard	Young (AK)
Hancock	Parker	Young (FL)
Hansen	Paxon	Zeliff
Hastert	Penny	

NOES—194

Ackerman	Collins (MI)	Gejdenson
Andrews (ME)	Conyers	Gibbons
Bacchus (FL)	Coppersmith	Gilchrest
Barca	Coyne	Gilman
Barrett (WI)	Darden	Gonzalez
Becerra	DeFazio	Gordon
Beilenson	DeLauro	Green
Bilbray	Dellums	Greenwood
Bishop	Derrick	Gutierrez
Boehlert	Deutsch	Hall (OH)
Bonior	Dicks	Hamburg
Borski	Dixon	Hamilton
Boucher	Durbin	Harman
Brown (FL)	Edwards (CA)	Hefner
Brown (OH)	Engel	Hilliard
Byrne	English (AZ)	Hinchey
Cantwell	Eshoo	Hoagland
Cardin	Evans	Hobson
Carr	Farr	Hochbrueckner
Castle	Filner	Hoyer
Clay	Fingerhut	Hughes
Clayton	Foglietta	Inslee
Clement	Ford (MI)	Jacobs
Clyburn	Ford (TN)	Johnson (CT)
Coleman	Frank (MA)	Johnson (GA)
Collins (IL)	Furse	Johnson (SD)

Johnson, E.B.	Mineta	Sharp
Johnston	Mink	Shays
Kanjorski	Moakley	Shepherd
Kennelly	Moran	Skaggs
Kildee	Morella	Slattery
Klein	Nadler	Slaughter
Klug	Natcher	Smith (NJ)
Kopetski	Neal (MA)	Snowe
Kreidler	Neal (NC)	Spratt
LaFalce	Oberstar	Stark
Lancaster	Obey	Stokes
Lantos	Oliver	Strickland
LaRocco	Owens	Studds
Leach	Pallone	Stupak
Levin	Pastor	Swett
Lewis (GA)	Payne (NJ)	Synar
Long	Payne (VA)	Thompson
Lowey	Pelosi	Thurman
Machtley	Peterson (FL)	Torres
Maloney	Pickle	Torricelli
Mann	Price (NC)	Towns
Manton	Rahall	Tucker
Margolies-	Ramstad	Unsoeld
Mezvinsky	Rangel	Valentine
Markley	Ravenel	Velasquez
Matsui	Reed	Vento
McCloskey	Richardson	Visclosky
McCurdy	Roemer	Washington
McDermott	Ros-Lehtinen	Waters
McHale	Roybal-Allard	Watt
McKinney	Rush	Waxman
McNulty	Sabo	Wheat
Meehan	Sanders	Williams
Meek	Sangmeister	Wise
Menendez	Sawyer	Woolsey
Meyers	Schenck	Wyden
Mfume	Schumer	Wynn
Mica	Scott	Yates
Miller (CA)	Serrano	Zimmer

NOT VOTING—12

Berman	Gephardt	McDade
Blackwell	Hoekstra	Porter
Brewster	Horn	Rose
Brown (CA)	Kennedy	Rostenkowski

□ 1705

Mrs. MEYERS of Kansas, Mr. SANGMEISTER, Ms. CANTWELL, and Mr. SPRATT changed their vote from "aye" to "no."

Mr. SMITH of Michigan, Mr. VOLKMER, and Mrs. SCHROEDER changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. (Mr. FIELDS of Louisiana). The Clerk will report the other amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Strike section 6, and insert:
SEC. 6. SURVEY ACTIVITIES ON PRIVATE AND OTHER NON-FEDERAL LANDS.

(a) COMPLIANCE WITH STATE LAWS.—The Survey shall comply with applicable State and Tribal government laws, including laws relating to private property rights and privacy.

(b) CONSENT AND NOTICE REQUIREMENTS.—
(1) IN GENERAL.—The Survey shall not enter non-federal real property for the purpose of collecting information regarding the property, unless the owner of the property has—

(A) consented in writing to that entry;

(B) after providing that consent, been provided notice of that entry; and

(C) been notified that any raw data collected from the property must be made available at no cost, if requested by the land owner.

(2) LIMITATION.—Paragraph (1) does not prohibit entry of property for the purpose of obtaining consent or providing notice as required by that paragraph.

(c) REPORT TO CONGRESS.—On January 1, 1995, and January 1, 1996, and biennially

thereafter, the secretary shall provide a report to the Committee on Merchant Marine and Fisheries in the House of Representatives and the Committee on Environment and Public Works in the Senate. The report shall identify all activities of the Survey on non-federal lands and shall certify compliance with subsection (b)(1).

(d) SURVEY POLICY ON ACCESS TO PRIVATE AND NON-FEDERAL LANDS.—Within six months of enactment, the Director shall develop a policy for Survey employees and agents to follow in order to help ensure compliance with subsection (b)(1). The Director shall provide this policy to the Committee on Merchant Marine and Fisheries in the House of Representatives and the Committee on Environment and Public Works in the Senate.

(e) SURVEY DEFINED.—In this section, the term "Survey" includes any person that is an officer, employee, or agent of the Survey, including any such person acting pursuant to a contract or cooperative agreement with or any grant from the Survey.

Mr. DREIER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DREIER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule XV, and the Chair's prior announcement, this will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 325, noes 94, not voting 14, as follows:

[Roll No. 529]

AYES—325

Allard	Brewster	Cunningham
Andrews (NJ)	Brooks	Danner
Andrews (TX)	Browder	Darden
Applegate	Brown (FL)	de la Garza
Archer	Brown (OH)	Deal
Armey	Bryant	DeFazio
Bachus (AL)	Bunning	DeLauro
Baesler	Burton	DeLay
Baker (CA)	Buyer	Derrick
Baker (LA)	Byrne	Diaz-Balart
Ballenger	Callahan	Dicks
Barca	Calvert	Dingell
Barcia	Camp	Dooley
Barlow	Canady	Doolittle
Barrett (NE)	Cantwell	Dornan
Barrett (WI)	Carr	Dreier
Bartlett	Castle	Duncan
Barton	Chapman	Dunn
Bateman	Clement	Durbin
Bentley	Clinger	Edwards (TX)
Bereuter	Clyburn	Emerson
Bevill	Coble	English (AZ)
Bilbray	Coleman	English (OK)
Billakis	Collins (GA)	Everett
Bishop	Combest	Ewing
Bliley	Condit	Fawell
Boehert	Cooper	Fazio
Boehner	Costello	Fields (TX)
Bonilla	Cox	Fingerhut
Borski	Cramer	Fish
Boucher	Crane	Flake
	Crapo	Ford (TN)

Fowler	Leach	Roemer
Franks (CT)	Lehman	Rogers
Franks (NJ)	Levy	Rohrabacher
Frost	Lewis (CA)	Ros-Lehtinen
Gallegly	Lewis (FL)	Roth
Gallo	Lightfoot	Roukema
Gejdenson	Linder	Rowland
Gekas	Lipinski	Royce
Geren	Livingston	Sangmeister
Gillmor	Lloyd	Santorum
Gilman	Long	Sarpalius
Gingrich	Machtley	Sawyer
Glickman	Manton	Saxton
Goodlatte	Manzullo	Schaefer
Goodling	Margolies-	Schenck
Gordon	Mezvinsky	Schiff
Goss	Martinez	Schroeder
Grams	Mazzoli	Scott
Grandy	McCandless	Sensenbrenner
Green	McCloskey	Sharp
Greenwood	McCollum	Shaw
Gunderson	McCrery	Shepherd
Hall (OH)	McCurdy	Shuster
Hall (TX)	McMillan	Sisisky
Hamilton	McHale	Skeen
Hancock	McHugh	Skelton
Hansen	McInnis	Slattery
Hastert	McKeon	Slaughter
Hayes	McKinney	Smith (IA)
Hefley	McNulty	Smith (MI)
Hefner	Menendez	Smith (NJ)
Herger	Meyers	Smith (OR)
Hilliard	Mica	Smith (TX)
Hobson	Michel	Snowe
Hochbrueckner	Miller (FL)	Solomon
Hoke	Minge	Spence
Holden	Moakley	Spratt
Houghton	Molinar	Stearns
Hoyer	Mollohan	Stenholm
Huffington	Montgomery	Strickland
Hughes	Moorhead	Stump
Hunter	Murphy	Stupak
Hutchinson	Murtha	Sundquist
Hutto	Myers	Swett
Hyde	Natcher	Swift
Inglis	Neal (MA)	Talent
Inhofe	Neal (NC)	Tanner
Inslee	Nussle	Tauzin
Istook	Oberstar	Taylor (MS)
Jacobs	Obey	Taylor (NC)
Johnson (CT)	Ortiz	Tejeda
Johnson (GA)	Orton	Thomas (CA)
Johnson (SD)	Oxley	Thomas (WY)
Johnson, E.B.	Packard	Thompson
Johnson, Sam	Parker	Thornton
Kanjorski	Paxon	Thurman
Kaptur	Payne (VA)	Torkildsen
Kasich	Penny	Trifant
Kennelly	Peterson (FL)	Upton
Kildee	Peterson (MN)	Valentine
Kim	Petri	Volkmer
King	Pickett	Vucanovich
Kingston	Pickle	Walker
Klecza	Pombo	Walsh
Klink	Pomeroy	Weldon
Klug	Portman	Whitten
Knollenberg	Poshard	Williams
Kolbe	Price (NC)	Wilson
Kopetski	Pryce (OH)	Wise
Kreidler	Quillen	Wolf
Kyl	Quinn	Wyden
Lambert	Ramstad	Wynn
Lancaster	Ravenel	Young (AK)
Lantos	Regula	Young (FL)
LaRocco	Reynolds	Zeliff
Laughlin	Ridge	Zimmer
Lazio	Roberts	

NOES—94

Abercrombie	Deutsch	Gutierrez
Ackerman	Dixon	Hamburg
Andrews (ME)	Edwards (CA)	Harman
Bacchus (FL)	Engel	Hastings
Becerra	Eshoo	Hinchey
Beilenson	Evans	Hoagland
Bonior	Farr	Jefferson
Cardin	Fields (LA)	Johnston
Clay	Finer	Klein
Clayton	Foglietta	LaFalce
Collins (IL)	Ford (MI)	Levin
Collins (MI)	Frank (MA)	Lewis (GA)
Conyers	Furse	Lowey
Coppersmith	Gibbons	Maloney
Coyne	Gilchrest	Mann
Dellums	Gonzalez	Markey

Matsui
McDermott
Meehan
Meek
Mfume
Miller (CA)
Mineta
Mink
Moran
Morella
Nadler
Oliver
Owens
Pallone
Pastor
Payne (NJ)

Pelosi
Rahall
Reed
Richardson
Roybal-Allard
Rush
Sabo
Sanders
Schumer
Serrano
Shays
Skaggs
Stark
Stokes
Studds
Synar

Torres
Torricelli
Towns
Unsoeld
Velazquez
Vento
Visclosky
Washington
Waters
Watt
Waxman
Wheat
Woolsey
Yates

Hobson
Hochbrueckner
Houghton
Hoyer
Hughes
Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennelly
Kildee
Klecza
Klein
Klug
Kopetski
Kreidler
LaFalce
Lancaster
Lantos
LaRocca
Laughlin
Lazio
Leach
Levin
Lewis (GA)
Lipinski
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-
Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McMillan
McNulty
Meehan
Meek
Menendez

Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Moran
Morella
Murtha
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Oliver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Pickle
Price (NC)
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Roemer
Ros-Lehtinen
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano

Sharp
Shays
Shepherd
Skaggs
Skelton
Slaughter
Smith (IA)
Smith (NJ)
Snowe
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Tauzin
Taylor (NC)
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Trafficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmmer
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Yates
Zimmer

Paxon
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Portman
Poshard
Pryce (OH)
Quillen
Quinn
Ridge
Roberts
Rogers

Rohrabacher
Roth
Rowland
Royce
Schaefer
Sensenbrenner
Shaw
Shuster
Sisisky
Skeen
Slattery
Smith (MI)
Smith (OR)
Smith (TX)
Solomon
Spence

Stearns
Stenholm
Stump
Sundquist
Talent
Taylor (MS)
Thomas (CA)
Thomas (WY)
Upton
Vucanovich
Walker
Walsh
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—14

Berman
Blackwell
Brown (CA)
Dickey
Gephardt

Hoekstra
Horn
Kennedy
McDade
Porter
Rangel
Rose
Rostenkowski
Tucker

□ 1714

Mr. ACKERMAN changed his vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. McNULTY). The question is on the amendment in the nature of a substitute, as amended.

The amendment, in the nature of a substitute, as amended, was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. STUDDS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 255, nays 165, not voting 13, as follows:

[Roll No. 530]

YEAS—255

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Bacchus (FL)
Baesler
Barca
Barrett (WI)
Becerra
Bellenson
Bereuter
Bilbray
Bishop
Blute
Boehlert
Bonior
Borski
Boucher
Brooks
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Cooper
Coppersmith
Coyne
Danner
Darden
de la Garza
DeFazio
Gibbons
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dixon
Dooley
Durbin
Edwards (CA)
Engel
English (AZ)
Eshoo
Evans
Farr
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallo
Gejdenson
Gibbons
Gilchrist
Gillmor
Gillman
Glickman
Gonzalez
Gordon
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland

Allard
Applegate
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barlow
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bevill
Bilirakis
Bliley
Boehner
Bonilla
Brewster
Browder
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Carr
Clinger
Coble
Collins (GA)
Combust
Condit
Costello
Cox
Cramer
Crane

NAYS—165

Crapo
Cunningham
Deal
DeLay
Dickey
Dingell
Doolittle
Dorman
Dreier
Duncan
Dunn
Edwards (TX)
Emerson
English (OK)
Everett
Ewing
Fields (TX)
Fowler
Gallegly
Gekas
Geren
Gingrich
Goodlatte
Goodling
Goss
Grams
Hall (TX)
Hancock
Hansen
Hastert
Hefley
Herger
Hoke
Holden
Huffington
Hunter
Hutchinson
Hutto
Hyde

Inglis
Inhofe
Istook
Johnson, Sam
Kasich
Kim
King
Kingston
Klink
Knollenberg
Kolbe
Kyl
Lambert
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Lloyd
Manzullo
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
Mica
Michel
Miller (FL)
Molinar
Montgomery
Moorhead
Murphy
Myers
Nussle
Oxley
Packard
Parker

NOT VOTING—13

Berman
Blackwell
Brown (CA)
Ford (TN)
Gephardt

Hoekstra
Horn
Kennedy
Lehman
McDade
Porter
Rose
Rostenkowski

□ 1732

Mr. POMBO changed his vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PORTER. Mr. Speaker, I was absent from the House due to severe illness. I missed five votes during the day. Had I been present, I would have voted yea on adoption of the conference report on H.R. 2445, the fiscal year 1994 Energy and Water appropriations bill; yea on the Bevill motion to recede and concur in the Senate amendment No. 33 to H.R. 1845, the National Biological Survey Act; aye on the Taylor amendment to H.R. 1845, regarding written permission of landowners; and no on the Tauzin amendment to H.R. 1845 regarding volunteers.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Haller, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2403) "An act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1994, and for other purposes."

HOUR OF MEETING ON TOMORROW

Mr. STUDDS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon tomorrow.

The SPEAKER pro tempore (Mr. GUTIERREZ). Is there objection to the request of the gentleman from Massachusetts.

There was no objection.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2492, DISTRICT OF COLUMBIA SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS ACT, 1993

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-308) on the resolution (H. Res. 283) waiving points of order against the conference report to accompany the bill (H.R. 2492) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes which was referred to the House Calendar and ordered to be printed.

NATIONAL HEALTH INFORMATION MANAGEMENT WEEK

Ms. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 205) designating the week beginning October 31, 1993, as "National Health Information Management Week" and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Mr. BURTON of Indiana. Mr. Speaker, reserving the right to object, I yield to the gentleman from Tennessee [Mr. DUNCAN] who is the chief sponsor of this bill.

Mr. DUNCAN. Mr. Speaker, as the sponsor of House Joint Resolution 205, I rise in support of this resolution which designates the week beginning October 31, 1993, as "National Health Information Management Week."

The purpose of this resolution is to help bring recognition to the critical importance of the health information management professions across the Nation.

America's 35,000 health information management leaders have a tradition of commitment to and expertise in high quality information management which has become an increasingly important component of our Nation's health care delivery system.

At the heart of the profession's information responsibilities are medical records, both computer-based and paper, of individuals' health care.

The professional orchestrates the collection of many kinds of documentation from a variety of source, monitors the integrity of the information, and ensures appropriate access to the individual record.

The health information management professional also collects health care data by abstracting and encoding information, by using computer programs

to interpret data, and by putting in place quality controls to ensure the data's validity.

The professional designs and improves systems, both computerized and manual, to manage large amounts of health care data. And, as with the individual patient record, the professional balances patients' privacy rights with legitimate uses of data.

Throughout the ongoing health care reform discussions, there has been a significant amount of consensus on the need to lessen the bureaucracy of our Nation's current health care delivery system and to streamline administrative operations.

During this important time in our Nation's history, health information management professionals are key players in reforming health care.

These professionals are working hard to foster advancements toward a computerized patient record—and away from a paper medical record—to reduce health care costs by decreasing the amount of paperwork confronting hospitals and other health facilities.

I encourage all Members to join me in support of House Joint Resolution 205, declaring the week beginning October 31, 1993, as "National Health Information Management Week," so that we can demonstrate our support for these dedicated Americans.

Mr. BURTON of Indiana. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is the objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

H.R. RES. 205

Whereas accurate, timely, and complete medical records and related health information are vital in planning and providing for quality health care for the people of the United States;

Whereas such records and information are vital to providing health care to an individual beginning at the birth of the individual and continuing throughout the life of the individual;

Whereas public concern about the quality, appropriateness, and effectiveness of health care is escalating;

Whereas specific skills in evaluating and reporting the results of health care are required to provide public accountability;

Whereas equitable third-party reimbursement for health care is dependent on health information that is collected, analyzed, classified, verified, and disseminated;

Whereas public awareness of patient rights, including the right of a patient to access the patient's own medical information, is increasing;

Whereas the needs and requirements for health information of the health care industry and the use of the information by the industry are changing rapidly;

Whereas the rate of such changes will continue to increase as new health care technology is used and new health care reform policies are promulgated;

Whereas the 35,000 members of the American Health Information Management Asso-

ciation are the health information leaders of the United States; and

Whereas such members have demonstrated commitment to, and expertise in, health information management: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning October 31, 1993, is designated as "National Health Information Management Week", and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe the week with appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

Ms. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 178) designating October 1993 and October 1994 as "National Domestic Violence Awareness Month," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Mr. BURTON of Indiana. Mr. Speaker, reserving the right to object, I yield to the gentleman from New York [Ms. SLAUGHTER], who is the chief sponsor of House Joint Resolution 178.

Ms. SLAUGHTER. Mr. Speaker, according to the FBI, in the next minute, four women will be battered by their husbands or boyfriends. In fact, domestic violence seriously injures more women in this country each year than car crashes, rapes, and muggings, put together.

In my own district of Rochester, NY, an organization called Alternatives for Battered Women served 2,361 new callers last year through its hotline number. In addition, the program continued working on more than 6,000 other ongoing cases.

These statistics are staggering. But, there is hopeful news on the horizon. After more than a decade of efforts to publicize this national crisis, people's attitudes are beginning to change. Now, these tragic numbers are met with angry calls to action instead of stubborn disbelief. Now, according to a study by the Family Violence Prevention Fund, nearly 9 in 10 Americans believe that domestic violence is a serious problem facing many families. And more than 8 in 10 think something can be done to reduce the amount of violence women face in their homes.

This increased awareness of domestic abuse is an encouraging sign. But much more needs to be done. Many professionals who work in our emergency

rooms, our police departments, and our legal system still are not taking this epidemic as seriously as we need them to. For instance, a study of California hospitals this summer found that as few as one in five hospitals are in compliance with professional standards on dealing with domestic violence. Fewer than one-quarter have trained their emergency room doctors to spot and treat spouse or partner abuse.

Because of the continued need for increased awareness, I introduced House Joint Resolution 178, which is before us this evening. The resolution declares October 1993 and October 1994 National Domestic Violence Awareness Month. We here in Congress must stand up and acknowledge the magnitude of this national tragedy. We must voice our support for the dedicated people who devote their lives to stopping domestic violence. And we must help to educate all Americans about domestic violence.

I hope all of you will take this opportunity to help your constituents understand this problem, through events back in your districts or mailings sent back home. Only with widespread awareness of domestic violence can we move forward, toward a lasting solution. Professional intervention and tougher laws are certainly necessary tools to stop family violence. But, only with changed attitudes about appropriate behavior can we work to eradicate domestic violence for good.

I would like to thank my colleagues for their support.

□ 1740

Mr. BURTON of Indiana. Mr. Speaker, continuing my reservation, I would like to thank the gentlewoman for bringing this up. When I was about 5 years old I had a brother and sister who were both very small like myself, and I can remember my father attacking my mother and beating on her in the middle of the night. It is a terrible thing for a child to wake up at 1 o'clock in the morning hearing that kind of screaming and that violence, and your mother throwing a lamp through the window trying to get the attention of the neighbors so the police will come. If there is anything we ought to be concerned with, it is child abuse and this kind of domestic violence, because it has a tremendous impact on young people for the rest of their lives. Sometimes it causes them to, like a record player, replay that in their life and cause the same kind of thing to happen. So I congratulate the gentlewoman for bringing this to the floor. I really personally appreciate it.

Mr. Speaker, continuing my reservation, I yield to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Speaker, I rise in support of this domestic violence awareness resolution. For many American women, real terror is not being out alone at night on a dark street;

real terror is being home alone, home alone with loved ones.

Mr. Speaker, the statistics are startling. Every 15 seconds a woman is battered by her spouse or by her special friend. Every year 4 to 6 million women, it is estimated, are battered by their spouses or by their boyfriends. Every year 4,000 women are battered to death. Every year 3.3 million children are watching this.

We worry about violence in our society. Well, for many the home is not the safe haven. Many people feel like they are hostages in their own home.

Mr. Speaker, I am pleased that the Congress, as the Nation, as law enforcement, as our judicial system, as neighbors and friends, are finally recognizing that this is a crisis of tremendous proportion and that we all can do something about it. Not look the other way, not have people be victimized in the courts that are there to help to protect them. And we in Congress have a responsibility.

Mr. Speaker, yes, I am pleased that we have been able to pass the bill to consider spousal abuse and child custody cases. I am pleased that there was a TV movie on that particular resolution which did a lot to make people aware of domestic violence's affect on children in our society. We have a domestic violence hotline bill coming up which will really help to give help and relief to people who have no relief in sight, who need the confidentiality, who need the resources to learn about the kind of help that they can get or the kind of escape that they can get.

Mr. Speaker, we have a Violence Against Women Act which I hope will be coming up soon. We have a Battered Women's Acknowledgement Act, and also the Fair Trial Act. So we do have legislation before us that we in Congress can pass. The medical profession has a responsibility in this, and all of us have a responsibility to not turn the other way.

So I hope that this resolution designating October as Domestic Violence Awareness Month will really make people aware that they have a responsibility. As Mr. Rabin said at that very historic time, "Enough violence and bloodshed." And we say enough violence and bloodshed in one's own home.

Mr. BURTON of Indiana. Mr. Speaker, continuing my reservation of objection, I wish to commend the gentlewoman from Maryland [Mrs. MORELLA] for her contributions with the hotline and other things. For anyone who has experienced this kind of trauma in their formative years and seen their mothers experience it, we all have a special place in our hearts for people like the gentlewoman for taking the time to do that.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. GUTIERREZ). Is there objection to the

request of the gentlewoman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 178

Whereas it is estimated that a woman is battered every 15 seconds in America;

Whereas domestic violence is the single largest cause of injury to women in the United States, affecting 6,000,000 women;

Whereas rural and urban women of all racial, social, religious, ethnic, and economic groups of all ages, physical abilities and lifestyles are affected by domestic violence;

Whereas increasing evidence indicates that there are large numbers of immigrant women trapped in violent homes, isolated by abusive spouses who use the threat of deportation to maintain power and control over them;

Whereas violence escalates in both frequency and severity over time, becoming greatest at and after separation, when women are 75 percent more likely to be killed;

Whereas 40 percent of female homicide victims in 1991 were killed by their husbands or boyfriends;

Whereas in 1991, at least 21,000 domestic crimes against women were reported to the police each week;

Whereas one-fifth of all reported aggravated assaults—assaults where the victim suffered serious bodily injury—occur in domestic violence situations;

Whereas 74 percent of employed battered women are harassed by their abusive partners at work, causing 54 percent to miss at least 3 full days of work a month and 20 percent to lose their jobs;

Whereas 35 percent of medical emergency visits by women are the result of domestic violence, and 25-45 percent of all battered women are battered during pregnancy;

Whereas one-third of the domestic violence incidents involve felonies such as rape, robbery, and aggravated assault;

Whereas in 50 percent of families where the wife is being abused, the children of that family are also being abused;

Whereas some individuals in our law enforcement, medical, religious, mental health, and judicial systems continue to think of spousal abuse as a "private" matter and are hesitant to intervene and treat domestic assault as a crime;

Whereas in 1991 over 450,000 women, plus their children, were provided emergency shelter in domestic violence shelters and safehomes;

Whereas 40 percent of women in need of shelter may be turned away due to lack of shelter space;

Whereas the nationwide efforts to help the victims of domestic violence need to be expanded and coordinated;

Whereas there is a need to increase the public awareness and understanding of domestic violence and the needs of battered women and their children; and

Whereas the dedication and successes of those working to end domestic violence and the strength of the survivors of domestic violence should be recognized: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the months October 1993 and October 1994 is designated as "National Domestic Violence Awareness Month". The President is authorized and requested to issue a proclamation calling on

national radio and television that he controls. That would be fair and that would give the Russian public a chance to assess the various parties and their leaders. But, if numerous pro-democratic political parties take to the field and spend much of their time criticizing each other and Yeltsin as well as the hard-liners, and if the hard-liners are represented by a few moderate sounding parties, this could also work in their favor and against the reformers.

There are feasible, open and relatively inexpensive actions that the Clinton Administration can and should take immediately to encourage and assist the pro-democracy movements within Russia. First, it is important to identify the five or so leading pro-democratic parties and come to understand their programs and leadership. Second, pro-democratic political parties which request it should be given practical assistance so that they can become more effective in conducting a political campaign throughout Russia. Such assistance might include training, communications equipment, funding, assistance with modern campaign and fund raising techniques, and help in preparing themselves to play a significant role in monitoring the election process and vote counting.

Every election can be unfairly rigged at any one of three stages—during the campaign, during the actual voting process, or during the vote counting and tallying. The Clinton Administration should respond to the invitation of the Russian government and immediately establish a credible monitoring group from the United States and other democracies that would have enough people, expertise, resources and mobility to support and monitor all three phases of the coming election for a new Russian legislature. The U.S. has a great deal of experience in conducting activities of this kind and this is the time for President Clinton to match his support for democracy with a rapid and competent response to the need and opportunity presented by the next phase of the dramatic competition for the future of Russia.

In December 1992 there were elections for the national legislature in Serbia. The communist dictator, Milosevic, fully intended to use the entrenched powers of his party and regime to control the outcome, but he did permit pro-democratic parties to compete. The West should have given those pro-democratic parties encouragement and practical assistance in sufficient quantity and time to have helped them campaign effectively. If that had been done, the democratic parties might well have won the election and brought about an end to the tragedy of the conflict in the former Yugoslavia. There is still time for a rapid response between now and the December 1993 Russian election is very short but with leadership by President Clinton, there could be a program of practical political assistance that could help the democratic parties in Russia turn the tide.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 7, 1993.

HON. BILL CLINTON,
The President, The White House, Washington,
DC.

DEAR MR. PRESIDENT: We are writing to request your immediate attention to the issue of the parliamentary elections scheduled for December in Russia.

We believe that the election of a truly representative parliament through free, fair and competitive elections is absolutely critical to the future of Russian democracy. Further,

we believe that such a vote would produce a Russian parliament that is far more democratic and friendly to the West than the just-disbanded Supreme Soviet. Hence, these elections have a direct bearing on our national security.

The problem, however, is that the democratic forces in Russia are poorly organized and have extremely limited means. The anti-democratic forces, on the other hand, retain much of the organizational ability of the former Communist Party and are in control of most of the local and regional legislatures in the country. There is a very real danger that they will be able to stifle competition and even rig the vote to produce another reactionary parliament. The democrats are in desperate need of outside assistance. We believe it is imperative for the West to provide as much assistance as possible to democratic candidates in Russia and to facilitate a smooth, fair electoral process through monitoring, etc.

There are of course, many organizations, such as NED, IRI, NDI and the newly-created Committee to Support Russian Democracy, that are already involved in these types of activities in Russia and which have fielded monitoring teams in the past. Also, there are several indigenous groups in Russia which are working along the same lines. We believe that immediate, direct assistance to these various groups would greatly enhance the chances of the December elections being free and fair.

We strongly urge you to make the December elections a top foreign policy priority and to divert from existing programs whatever resources necessary to achieve the objective of ensuring a free, fair and competitive process. Other foreign aid programs, both for other countries and within Russia, may indeed have merit. But ensuring democracy in Russia through truly democratic parliamentary elections is surely of the utmost urgency and should be treated as such.

We stand ready to lend our support to this process and thank you for your time and attention.

Sincerely,

GERALD B. SOLOMON,
Member of Congress.

TOM DELAY,
Member of Congress.

JAN MEYERS,
Member of Congress.

OPPOSITION TO NAFTA

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1993

Mr. QUINN. Mr. Speaker, I rise today to state my serious concerns and opposition to the North American Free-Trade Agreement [NAFTA].

President Clinton has reaffirmed his administration's support for ratifying the treaty which was signed last December. Along with many of my colleagues in the House I am concerned that provisions in the agreement would encourage the migration of American manufacturing jobs to Mexico.

The Mexican labor system is vastly different from the United States system. Government control of organized labor forces wage controls and exerts pressure on the market to keep wages low, while state-of-the-art infrastructure fosters first-rate productivity.

The arguments made by NAFTA proponents are predicated upon an open market economy where Adam Smith's invisible hand guides wages. There is no invisible hand in Mexico, rather a very visible hand of governmental control over the economy, a hand that represses wages, independent labor unions, and standards of living.

Our country exports large amounts of capital goods—materials to build infrastructure to export goods back to the United States. In addition, the United States exports materials which are assembled into final products in Mexico and exported back to the United States. Large portions of these United States exports are actually materials sent to Mexico to complete finished products using cheap labor—and shipped back into our country for our consumption.

The economy of Mexico is 4 percent of the size of the United States economy—but labor costs represent only one-seventh of labor costs in the United States. How can NAFTA expect to expand United States exports to Mexico when there is such a low-paid work force, in a small economy, that is pressured by the hand of governmental control to attract international investment?

Examine the investment criteria developed by AmeriMex investors. You will find that 5.9 million U.S. manufacturing jobs are vulnerable under NAFTA. New York would be the fifth hardest hit State in the Nation in terms of job losses.

In my district in western New York you only need look at the TRICO plant in Buffalo, or IBM in Rochester or Smith-Corona in Cortland, NY. NAFTA will open the floodgates for American businesses with labor intensive aspects to expand or move to Mexico.

Furthermore, the labor side agreements do not address these concerns. These agreements exclude industrial relations issues such as the right to strike or organize independent labor unions from the possibility of fines or sanctions. The side agreements simply ensure the enforcement of domestic labor laws.

Mr. Speaker, I support free trade—but only when it's fair and on a level playing field—I call that smart trade. The United States-Canadian Free-Trade Agreement is an excellent example of how free trade can and should work on a fair and level playing field.

I support the idea that expanded trade offers considerable investment and economic opportunities for the United States—however, a trade agreement that ignores, jobs, income levels, and the environment is not the answer. To achieve true economic expansion and integration among the NAFTA countries, we need effective, independent mechanisms that address inadequate labor and environmental standards and force upward harmonization—to U.S. standards.

INTRODUCING THE FEDERAL COGENERATION ACT OF 1993

HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1993

Mr. SWETT. Mr. Speaker, today I am introducing the Federal Cogeneration Act of 1993,

would lead to a shift in investment, trade, and jobs from Asia to North America.

The report's bottom line, that NAFTA will stimulate economic growth and create jobs in America at the expense of Japan and other countries in Asia.

Closer to home, Jean Chretien, Canada's newly elected Liberal Party leader has inferred that NAFTA should be renegotiated.

I reject this suggestion. Furthermore, I believe the Canadian Government should withhold comment on this issue until the United States Congress has had the opportunity to vote up or down on NAFTA.

NAFTA, after all, was an agreement negotiated on a government-to-government basis and in good faith.

It is a good agreement, one that will benefit the economies of the United States, and Canada. It is not the case, why is Japan so worried?

Accordingly, this Congress should not permit outside forces to dictate what is the best interest of the American people. Ultimately, we must do what is right for America and secure passage of NAFTA.

WHAT HAPPENED TO REINVENTING GOVERNMENT?

(Mr. SENSENBRENNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SENSENBRENNER. Mr. Speaker, in Vice President GORE's Reinventing Government Report, one recommendation to save tax dollars was to merge the DEA into the FBI. At least that's what we thought the report said.

Last week, I asked Deputy Attorney General Philip Heymann why Justice had backed away from this important recommendation. I was told it was a "printer's mistake" to use the term "merger" in the executive summary, and that neither Vice President GORE nor Justice intended to propose a merger.

Mr. Speaker, the word "merge," used four times in one paragraph of the summary, is now dismissed as a printer's mistake. If that's the case, why didn't someone let us know before? We were told Attorney General Reno had reservations about the proposal—but the proposal itself was never repudiated, until now.

The Justice Department does stand by the words "to transfer law enforcement functions of the DEA and the BATF to the FBI", but these apparently don't mean the same thing as a merger. Neither do the terms "integrate", "consolidate", and "combine" used elsewhere in the report.

Next time the administration sends a bunch of budget cutting proposals to Congress, I suggest they also send a copy of Justice's New Congressional Dictionary. Or Justice Department witnesses appearing before Congress could use the good old fashioned word "flip-flop."

Mr. Speaker, I include the relevant parts of the report of the National Performance Review executive summary, and the transcript of the testimony of Deputy Attorney General Philip Heymann, as follows:

Unofficial transcript of questions and answers between Representative Jim Sensenbrenner and Deputy Attorney General Philip Heymann from C-SPAN coverage

HEARING OF THE HOUSE JUDICIARY SUBCOMMITTEE ON CRIME AND CRIMINAL JUSTICE REGARDING THE 1993 CRIME BILL

FJS: Mr. Heymann, let me say that I am deeply disappointed that the Justice Department has turned its back on the Gore Commission's recommendations to merge the FBI, the DEA, and the ATF. And, in my opinion, your explanation, and while you don't add someone else at the top to umpire these interagency disputes, you set up a bureaucracy of taking people away from direct law enforcement as you've just explained to do precisely that. And I think that the lack of training between the agencies, the lack of coordination between the agencies, the fact that they don't share each other's intelligence as well as the result that one agency conducts sting operations on the other agency's informants was proof positive that the Vice President was right the first time. And I'm afraid that this is the beginning of an eroding of the recommendations the Vice President has made to make government more efficient, save some money, and give the taxpayers more for their dollar. That's not why I was here to ask a question.

P.H.: Could I say just a word about that, Mr. Sensenbrenner?

FJS: You certainly can.

P.H.: It's almost impossible for me to convince people of what the truth is here about the Vice President and the Attorney General. The truth is that there is a type. . .

FJS: Mr. Heymann, I'm having a little bit of difficulty figuring out what this administration wants. The Vice President says one thing, the Attorney General says the other thing—do we need a road map to find out where this administration is going?

P.H.: Please let me explain. As unusual as it is for anything to foul up in government, there was a printing foul-up after the Vice President and the Attorney General had discussed what they wanted to say about an FBI/DEA merger in, towards the first day of September. They agreed that they would say that there would be, that they both thought there should be major structural changes to deal with the problem that you've said, just described. Having agreed on that, an earlier version of the Vice President's recommendations was printed as the executive summary and as the heading. It said "merger" it, the Vice President, as I understand it was angry, put out, it was a mistake, a printer's mistake. The Attorney General the next day said, "No, no, I haven't made up my mind on merger." As a matter of fact, she had already talked with the Vice President, and they had agreed that anything in what I called the three and four area would be fine with them. They have never. . .

FJS: In other words, what the Congress, the press, and the public receives from the administration is not to be considered as being written on stone tablets, that, you know, it's subject to modification and reconsideration, and all of that.

P.H.: No, no, it's simply that, all I'm really trying to say is I honestly know of no occasion on which the, since late August or when I started knowing about it, where the Attor-

ney General and Vice President have been in policy disagreement on this issue.

FJS: Perhaps that's why the Vice President has decided using a little bit more recycled paper for recycled ideas. But, the reason that I wanted to ask you some questions was not this particular issue, Mr. Schumer brought it up.

[From: Report of National Performance Review Executive Summary]

ACTION: TRANSFER LAW ENFORCEMENT FUNCTIONS OF THE DRUG ENFORCEMENT ADMINISTRATION AND THE BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS TO THE FEDERAL BUREAU OF INVESTIGATION

The first step will be to merge DEA into the FBI. When this merger has been successfully accomplished, we will move toward merging the enforcement functions of the BATF into the FBI and merging BATF's regulatory and revenue functions into the IRS.

[From: Report of National Performance Review]

ACTION: TRANSFER LAW ENFORCEMENT FUNCTIONS OF THE DRUG ENFORCEMENT ADMINISTRATION AND THE BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS TO THE FEDERAL BUREAU OF INVESTIGATION

More than 140 federal agencies are responsible for enforcing 4,100 federal criminal laws. Most federal crimes involve violations of several laws and fall under the jurisdiction of several agencies; a drug case may involve violations of financial, firearms, immigration and customs laws, as well as drug statutes. Unfortunately, too many cooks spoil the broth. Agencies squabble over turf, fail to cooperate, or delay matters while attempting to agree on common policies.

The first step in consolidating law enforcement efforts will be major structural changes to integrate drug enforcement efforts of the DEA and FBI. This will create savings in administrative and support functions such as laboratories, legal services, training facilities, and administration. Most important, the federal government will get a much more powerful weapon in its fight against crime.

When this has been successfully accomplished, we will move toward combining the enforcement functions of the Bureau of Alcohol, Tobacco and Firearms (BATF) into the FBI and merge BATF's regulatory and revenue functions into the IRS. BATF was originally created as a revenue collection agency but, as the war on drugs escalated, it was drafted into the law enforcement business. We believe that war would be waged most successfully under the auspices of a single federal agency.

IN SUPPORT OF CALLING OUT THE NATIONAL GUARD

(Mr. MICA asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MICA. Mr. Speaker, this morning the Statue of Freedom that we replaced Saturday atop the dome of the U.S. Capitol must have wept when she learned that President Clinton turned his back on our Nation's Capital.

As Commander in Chief, he turned his back on permitting Mayor Kelly's request to use the National Guard to stem the murder, violence, and genocide taking place in our streets.

He turned his back on the scores of District mothers and fathers who have buried their slain sons and daughters.

He turned his back on the thousands of hard-working and law-abiding citizens who struggle each day to survive in this crime-infested jungle.

How can the President spend billions to send our military to separate warring factions in Somalia and Macedonia and not act now to save the dying youth in the streets of our Nation's Capital?

Today I am placing in the CONGRESSIONAL RECORD the 1,286 names of those tragically murdered in the District in just 3 years. Not included in this list is Debra McManus, 39, Kalvin Adams, 23, and George Hill, 16, listed in this morning's news as the latest District murder victims.

President Clinton has turned his back on Mayor Kelly and the people—this Congress cannot do the same.

Mr. Speaker, I include the following list of victims killed in Washington in 3 years, 1988 through 1990, as follows:

[From the Washington Post, Oct. 24, 1993]

OF 1,286 SLAYING CASES, 1 IN 4 ENDS IN
CONVICTION
THE VICTIMS

1,286 people were killed in Washington in three years: Jan. 1, 1988, to Dec. 30, 1990. Their names are below, in chronological order.

Michael Saunders Jr., Tommy Brown, Osahon S. Emovon, Gwendolyn Scott, Duane S. Barnes, Jerome C. Barnes, Thomas E. Arnold, Curtis Brisco, Levee Cannady, Ricardo Washington, John Clem, Judson Boyd, Clifford E. Jackson, Tell Rudolph Maninat, Unknown (male), Bernard E. Smith, Joseph Williams, Reginald A. Adams, Steven Davis, Benton Johnson, Beverly Thompson, Richard C. Cole, Horace L. Pinnock, George Pringle, Harold E. Alvaranga, Larry D. Elliott, Elijah Carter, William F. Caffee, Jarrett Jones, Ralph W. Bailey, William L. Goins Rafael Mena-Alfra, Kermit Hutchins, Trevor Stephenson, unknown (female), John Parris, Reginald Smalls, unknown (male) Leroy Simms Jr., Antonio K. Askew, Antonio J. Campos, Ivan Evans, Arturo Clair Garvin Ian Smith, Bobby L. Parker, Charles E. Russell, Walter Thompson.

William L. Miller, Charles Perry, Janice D. Spain, Shardeen Britt, Urcella O'Connor, James Singleton, Alton E. Wilkinson, Leon Ray Wright, Leon Hanston, Maude Brooks, David James Dickerson, Herbert R. Purdie, Lonnie Watkins, Marco A. Guerreiro, Silas E. Davis, Harold G. Williams, Gao Bao Zhou, William J. Graham, Lionel R. Harris, Calvin B. Heath, Darlene Jenkins, Clayton Gray Jr., Warren Burns, Norman Gross, Robert Ellis Ronald Jackson Lionell K. Jackson, unknow (male), Shavon Mayo, Joel Mays, Kenneth R. Taylor, Gary A. Frank, Michael L. King, Donald Hill, Rufus McDowney, Keith Bennett, Griffin D. Smith, Jeffery Truesdale, Cornell R. Twilley, Wayne K. Harris, Larry Mathis, Kristina Caine, Daniel E. Dent, Eric R. Hill, Thomas A. Williams, Charles Mansfield, Larry Hicks, Ronald C. Proctor.

Joyce A. Haywood, Milton L. Ball, Jose D. Chicas, Ernest Workman, Beverly J. Harris Jacqueline Dyson, Darrell A. Carson, Kevin Spriggs, Frank Tyler, James A. Hall Michael W. McMillian, Robert E. Bishop, Alfredda E. Miller, Charles Whittington, Norman V.

James Vernon Greene, Kridikorn Satamarn, Preston Bankhead, Douglas L. Vaughn, Robert Lee Rogers, Osborn W. Williams, Dawn D. Fest, Milton Mills Jr., Janelle Hughes, Anthony Mozee Curtis Wilson, Allan Lufsey, Keith A. Price, Cherly A. Dykes, Jerry Pickens, James Hewlin, unknown (male), Anthony L. Roney, Anthony Warner, James Crawford, Ian Harris, Leonard Scoggins Jr., Ralph Aiken, Anthony D. Thomas, Leslie Wheeler, Robert N. Thompson, Rickey Railey, Gui Chao Zhang, Sean D. Shorts, Dryck Whitney, Hilton Gordon, Carrie Williams, Keith Anderson.

Neil A. Bess, Vernon Montgomery, Terry Moore, Brandon Jerrell, Hee Young Yoo, Marion Bethel, Sandy P. Carey, Reginald Childs, Ella Starks, Patrick Cook, Von McKinnley, James Clements, Annie Mai Frierson, Ricky Melson, Michael Young, Avadis Jones, Roy Lee Moore, Gwendolyn Sumpter, James Fludd Jr., Cyrus Gray, Woo C. Song, Devon Darden, William Hines, Kenneth E. Washington, Andrew K. Atkinson, Marguerite Edmonds, Leroy A. Ferrell, Louis H. Knight, Timothy A. Bright, Gregory Gibson, Roosevelt Roberts, Maurice Matthews, Anthony T. McRae, Tony Evans, John Wayne, Leroy W. Bolden, Christopher Southerlin, Joyce Gale Brame, Johnnie F. Person, Robert Miller, Jr., Willie R. Wilson, Derrick Clark, Susan S. Evans, Edward L. Hancock, Gregory Queen, Deborah A. Parson, Gary S. Stanley.

Elmer H. Thompson, Gerald K. Curry, Kathryn DeParman, Patricia A. Jones, Marvin J. Alston, Gary C. Brown, Brian Grant, Casper Grant, Alvin Jetter, Thomas Edward Kaufman, Lawanda Scott, Herbert Stevens, Darren Taylor, Debra White, Wallace Monroe, Wendell Simmons, Reginald Bennett, unknown (male), Samuel Zackery, Gary Harrison, Jerry Lee Thomas, George Broadnax Jr., Douglas Baker, Eric Lee Carter, Anthony Nash, Walter M. Mabry, Darrell B. Young, Morris Brown, Robert Dent, Robert Shingler, Tawanda Wicker, Richard A. Garcia, Sinyieu Wondong, Charlton Smith, Larry Roberts, Ronald E. Boulware, unknown (female), Victor Garcia, Anthony S. Thompson, Raymond Cobb, Samuel Brisbon, Clarence E. Guy, Desmond E. Ray, Thomas Stevenson, Calvin Bradley, Leon E. Broadus, Lonnie Colter.

Said Ashab, Stanley W. Carter, Calvin G. Resper, Charles P. Forde, Griffin Murphy Jr., Reginald L. Simpson, Kenneth Wilson, Charles Younger, Odarryl Mace, Myron S. Riley, Jose Benitez-Rios, unknown (male), Robert M. Melton, Brian K. Workman, Gloria J. Carter, Benjamin H. Williams, Gregory W. Cain, Ronald Curry, George W. Harris, Floyd Perkins, Rashid K. Hembah, Rocky Peters, James A. Bell, Tahnee M. Clark, Michael E. Johnson, Gene Autry Leak, Michael A. McGirt, Dianne Arthur, Jacqueline Gaut, Loretta P. Finch, Patrick A. Richards, Charles Jackson, Alan D. Williams, Kenneth Duvall, Vincent E. Bell, Clarence Brooks, Stewart A. Brown, Garlon J. Baucom, Argray W. Newsome, Donald R. Birdine, David E. Golden, Nathaniel Smith, Moses M. Tate, Antonio Williams, Riveryone Marbley, Eugene A. Ware.

Barbara G. Johnson, Joseph B. Queen, Barbara Byars, Richard E. Davis, Aaron Settles, Vondalia R. Robinson, Oscar D. Romero, Kevin O. Curtis, Anthony Smith, Basil C. Dorsey, Andre R. Stewart, Terence D. Banks, John Stokes Jr., Luis Francis Jimenez, Brian K. Bell, Donnell Birdine, Damon Blango, Ernestine Pannell, Langston S. Wright, Carl Louis Cooper, William Johnson, Rex W. Brown, Antonio Jacobs, Devon Mor-

ris, Gregory Sligh, Steven M. Bazemore, Lawrence Marshall, Keith C. Wasmus, Deanna B. Pannell, Adrian Fleming, Andre Anderson, John Tate, Curtis Coates, Fred Sellers, Ary Jasmin, Daniel Perez, Fleming Anderson, Avery B. Bourn, Rosemary Stevens, Sean Herbert, David McBride, Ricardo Clifford, Harold L. Carter, John Haggins, Vincent Shaw, Marvin Dove Jr., unknown (female), Chitrenda Eades.

Samson Hunter, Xavier Johnson, Linda Ray, Johnathan Allen, Andre Johnson, Patrick Marshall, Melvin Anderson Jr., Louis McDonald, unknown (female), Michele T. Niem, Mark D. Smoots, Theodore Taylor, Herman R. Washington, Raymond Bridges, Farrell R. Gardner, Gilbert T. Brown, Antonne Luna, Ricky Earl Richardson, Sadie E. Murphy, Shirley A. Hazel, Leroy A. Jackson, Robert A. West, unknown (male), Audry V. Lawrence, Eric Price, Yero Dorsey, Tyrone G. Greenwell, Tony King, Henry Hunter, Clarence Mitchell, unknown (male), Kevin Bennett, Lawrence Woodland, Robert Steptoe, Kevin D. Neal, Willard E. Jones, Louis W. Geiman, Donnie Michaels, John Arnosti, Christopher Jones, Ernest P. McQueen, Mattie Dorsey, Paul M. Berg, Jimmy Blade, Anthony E. Wright, Wesley S. Gorham, James A. Mingo, Darryl Johnson, Mary Arseneault, Thomas W. Moore, Larry A. Rawles, Anthony L. Slappy, Tanya D. Barnes.

Paul A. Frazier, Robert Lee Hill, Anne Bueford, Norman Oakcrum, Julio Perryman, Reginald K. Peters, Michael R. Robinson, Joseph Tyron Sams, Norman Brown, Robin L. Coleman, William Craig Haley, Floyd Payne, Linden S. Ault, Thomas Brown Jr., Terrance Sealey, Jamie Banker, Eric N. Butler, Bob Gerald Trever, Kenneth Jones, Raymond Campbell, Raymond C. Davidson, Corinne W. Sweet, Demitrus Coleman, David Williams, Maurice W. Crutchfield, Eugene M. Artis, Cassius C. Keys, Michael A. Olds, Mawu Robinson, Mona Shiferaw, Tesfay Shiferaw, Anthony T. Tate, Vernon A. Mitchell, Steven West, unknown (male), Robert E. Lewis, Keith Mayo, Thomas Winniefred, Kevin A. Clements, Christopher Conley.

Lawrence Monroe, Franklin Smith, Lonnie O. Hutchinson, Warren Harris, Carmen Del Cotten, Ronald K. Thompson, Sheila Lynn Green, William C. Johnson, William A. Best, Frederick Glenn, Rene C. Sanchez, Julian Timberlake, Anthony F. Bailey, Derrick W. Bell, Habib Mathis, Darnell Wells, Richard Lewis Clark, Julius Robinson, Derrick Chase, Cecil R. Curry, Carlton Earl Dickens, Lee Oliver Williams, Gary Hickman, Donald Bolton, Leonard Allen Morrison, Zachery J. Ray, Dwight George, Judith Crunkilin, Eddie Neil Martin, Tauchious J. Owens, Reginald Duckett, Reginald Lewis, James Harris Brooks, Lonnie Hart Jr., Warren Morgan, Stanley Whatley, Steven L. Parker, Corry Hines, Albert Thomas, Emory Lewis Trawick, Reginald Walker, Larry McCaspling, Earline Thompson, Alvin Winstock, Steven Maxwell, Melvin Douglas Brown, Anthony Paul Heslop, Darryl W. Murchison, David Lewis Hodge, Samuel A. Mack.

Michael McCurdy, Kevin Eans, William Arthur Wilson, Johnnie Lee Green, Wade Malone, Victor Osborn Tatum, Albert E. Webb, Bobby Workman, Charles Brandon Jr., Kevin Antonio Henson, Hughie Dyer, James C. Davis, Marcus Herring, Kenneth Earl Harden, Reginald Elliott, Socorro Torres, Leon Burke, Daniel Ely Jordan, Jose Miguel Lanza, Mary Ellen Sullenberger, Charles Johnson, Gerald Bailey, Derek Lee Wilson, Lesser Eugene McCoy, George Collins, Joseph Easton, Charles Hammond, Edward

Dujua Pelham, Anthony Settlers, Yusuf Belton, William Edward Howard, unknown (male), Warren Jackson, Aldolph Martino, Hector Colon, Bruce Lee Parks, Shonie Clatterbuck, Al Johnson, David Kevin Lee, Sean Raymon Martin, Denise Tyler, Gregory Jones, Francis Scrivner, Walter Alan Clinkscales, Elbert R. Crawley, John Bryson, Ralph Milton Stockhausen, Virginus Williams, Ola Shehu Ahmad, Herbert J. Dorsey, Bobby Nest.

Raymond A. Subhan, Willie Bulluck, Nathaniel Greene, Austin Neal Hiett, Tyrone Queen, Baby Girl Howard, Alvin N. Henson, Larry Eugene Hill, Reginald Durham, David Julien, Marx V. Brown, Donald Johnson, Alonzo D. Allen, Debra Bullock, David A. Stamper Jr., Stephan P. Smith, Ernest E. Young, Helen Cleo Chappelle, Johnetta McLean, Martin Freeman, Faith Selina Mobley, Neil Abble Thompson, Michael Graham, Darren A. Alston, Wayne Huff, Gary Wayne Peleger, Terry Eugene Squirrel, Donnell P. Winley, Curtis Daniels, Nisa Abdul-Samad, Edward W. Hairston, Donnell Perry, Carlos M. Cuff, Willie Dixon, Larhonda Wages, James Thomas Bryant, unknown (male), James W. Mosley, Charles J. Thomas, Ronald Cook, Percy Lee Davis, Randall N. Sloane, Nathaniel Thomas Jr., Fitzalbert Thompson.

Holly Janet Kincaide, Kristian Kincaide, Russell Goins, James E. Smith, Lawrence L. Nunn, Jessie David Miser, Karen Booker, Milford Best, Kermit E. Ferguson, Carlton B. Allen, Jose Landaverde, Jerry Mack, Angela B. Jones, James McKinnon, Thomas A. Wooden, Larry Wright, Daryl Dixon, Eugene Larry Anderson, Calvin Moore, Charles Tilghman, Dilante T. Cuette, Aaron Newman, Jimmy Parker, Darrell, Artis, Lewis Ford, Clifton Wooden, Devon Lykes, Tyrone White, Oscar Graham, Alvin Lee Howard, Won Bin Lee, Anthony J. Reed, Rhonda Lynn Anthony, Shirley Gaskin Augustus Logan Jr., Brenda Y. Taylor, Paul Wills, Manuel Flores-Romer, Oscar Holmes Jr., Daniel Hotz, Charles D. Carr, Derrick L. Conner, Aaron Johnson Jr., Lawrence Harris, Anthony Robinson, Henry Robert Huggans, Ronnie Johnson, Gipson F. Woolfolk, Rafeal Parra, Kenneth Ray Lee, Anthony T. Eason, Leonard R. Obrey, Todd Craig Johnson.

Leon A. Lipford, Theodore Williams, Cooper Gibson III, Kelvin F. Moore, William A. Smith, Jim Coy, Melvin L. Henderson, Eddie L. Sanders, Cheryl R. Fantroy, Eric Demond King, Winston L. Staton, Robert Gamden, Johnny Small, Benston W. Wright, Ronald R. Nivens, Charles A. Brooks, Woodrow Cureton Jr., Cori Louise Jones, Antonio M. Watson, Franklin A. Ball, Charles E. Yates, Jerry Butler, Donald M. Lee, Gerald P. Barnes, David A. Muschetta, Wallace Gunther, Gregory Jackson, William E. Brown, Michael A. Coach, Darnell Sears, Chester Blevins, Anthony D. Thompson, Waveland Starks, Cranston L. Colbert, Turner Monk, Michael Nelson, Tawana Sams, John Wayne Tucker, Anthony Stewart, David Lee Simmons, David Lewis, Knowle Watkins, John Woodland, Chung Su Im, Ronald Johnson, Tyrone McKay.

Loveron M. Harris, Harvey Brewton, Tyrone R. Carrington, Lee Jackson Jordan, Clifford Smith, Lisa Candace Carter, Lamar A. Jenkins, Keith Mason, Linwood Booker, Kenneth A. Charles, Earl S. Manning, Kenneth W. Robinson, Eugene Banks, Kenneth McSwain, Jesse Wade, James R. Fielding Jr., Craig Allen Williams, James Shunk, Theodore Washington, Basil A. French, Larry Mercer, Darryl A. Banner, Anthony Funderburk, Kevin Butler, Marlon J. Robin-

son, Xavier R. McGill, William A. Fletcher, Paul Jones, David Pettaway, Edgar Fleming, Eddie Archie, unknown (male), Roxanne L. Johnson, Benjamin Saxton, Alfred Fields, George Myrant, Ray Clay Coppock, Calvin Lee Logan, Errel I. Roberts, Carol Whitfield, Derrick Julian, Desi F. Avery, Michael Durant, Michael Lee DeJarnett, Wanda R. Hampton, William Moore Jr.

Odell Thomas, Taza Taylor, Timothy Finklea, Benjamin T. Corbett, Nathaniel Davis, Leroy Johnson, Jose Trejo Pineda, Neal Digiovanni, Sheldon Grayson, Billy Faison, Alfred C. Jordan, Victor J. Walker, Larry Dale Dunston, Michael A. Brown, Jose Ortiz, William L. Broome, Brenda Sams, Keaena S. Sams, Timothy S. Divers, "Oliver, first name unknown", Aaron E. Walker, Alton D. Wynne, Antonio D. Dinkins, Timothy Johnson, Keith J. Swepton, Nicole L. Wilkerson, Marvin Lee Harper, Stanley Lewis, Kimberly Hunter, William E. Smith, Harrison Thompson, Troy Weak, Juan N. Chavarria, Herman Coleman Jr., Christopher Johnson, Leroy A. Williams, Sherry E. Wheeler, Roger Abrams, Tyrone W. Sutton, Lloyd W. Thomas III.

Morris E. Dixon, Ernest C. Roach, Stephen A. Briscoe, unknown (male), Gregory Matthews, Darrell Banks, Milton McCoy Squire, Darrick E. Vincent, Luther Garvin, Henderson D. Holiday, Terry A. Johnson, Barrett S. Paige, Rene Rosales, Cynthia Fitts, Eddie Scarborough, Dorothy A. Blanton, Matthew N. Blake, Robert Harris, Vernon L. Smith, Ridgley C. Ballard, Dionne Taylor, Taushar Allen, Ricardo Hayes, Frank Lewis Payne, James McCallum, Fred Birikorahg, Gary Diggins, Maurice Hallman, Leonard Hyson, Milton C. Lewis, Tucson Gray, Ephraim O. Nelson, Martin B. Wolfe, Richard Lee Becton, "Chase, first name unknown", Nelson L. Hernandez, Nathan D. Jackson, Malcolm L. Stewart, Rojs Pelay, John Nelson Coleman, John Coppedge, Leon Dawes, Deneatress Seaburly, David Rowel, Lashaun Davis.

Ronald Seabrook, Charles Brunson, unknown (female), Jeffrey J. Anderson, Reginald A. Fenwick, James C. Jordon, Jr., Albert N. Norman, Richard Rhoden, Charles Carey, Melvin Gonzales, Keith B. Jacobs, Tony Moseby, Gerald Thompson, Michael Broome, Melvin Knight, Anne Synder, James Lee Coates, Mustafa Fereshevari, George Lindsay, Maurice Glenmore, Chet Harrison, Melvin D. Newkirk, Samuel H. Unger, Wendell Wilkerson, Archie Adams, William B. Brigmon, Ricky Magnus, Michael Warren, Charles Wheeler, Michael D. Bryant, William Gavins, Samuel C. Glen, William T. Holmes, William R. Nelson, Robert J. Taylor, Deborah A. Jones, Joyce Marie Jones, Frank Green, Coretta C. Logan, Michael K. Branch, Derrick L. Steele, William A. Kemp, Luis A. Alvarado, Rafael Martinez, Evelyn Spanos, Paula Adams, Henry L. Finch, Margaret Brown, James Clay Davis, Herbert Potter, Darnell E. Christian, Leroy Johnson, Gary Mosely, Kim Javon Wilson, Sadiqa Bay, unknown (male), Lawrence Burnell, Linda Rodgers.

Robert Williams, Marshall Ellis, Jamie Ferguson, Michael Harris, Richard Jackson, Nathaniel Wright, Stanley E. Hamlet, Paul L. Hogue, III, George Leon Adams, Reginald J. Francis, Treavor Thomas, Anthony Coates, Gregory Johnson, Morris I. Shelton, Arlton D. Clark, Bernard Ferrell, Linda Miliner, John Alexander Jr., Victor Burton, Damoni White, Russell Baits, James D. Etheredge, Michael T. Lee, Carlita L. Lewis, Robert Lee Posey, Ricky V. Jett, Michael Jones, George Miller, Robert Lee Walker,

George A. Young, Daniel Byam, Ivory Brevard, Darreyl D. Hubbard, Christopher Taylor, Waverly S. Washington, Kenneth Adams, Walter Jones, Paul McFadden, Raul Velazques, Ethel Mae Boyd, Antreau D. Bryant.

Vernice A. Douglas, Neda Hill, Donnell Smith, Howard Choate, Gene McFarland, Renaldo Padre Platter, Steven James Crawford, Terry Gray, Angel Santos, Fedor Diaz Sotolongo, Lamont Simms, Marvin A. Kearney, Clarence L. Bailey, Nelson G. Shackelford, Fredrick Smith, Ricardo Tejada, Joseph Thompson, Pamela Washington, Reginald Watson, Robert Flowers, James Carter Lane, Ernest Sheppard, Grace Daniel, Daryle Kevin Edwards, Homer Bryant, Avis Tyrone Jones, Charles C. Haupt, Norman L. Rich, Antonio B. Griffin, Darren Ford, Vance McIlwain, Kenneth E. Murray, Alan Simon Gray, Marvin D. Holton, Augusta Galbreath, Kenneth A. Hull, Lakeysa Small, James Ali, David Ellis Burkett, Mohamed Ahd Rage, Annis Williams, Willie Hunter, Kevin Beynum, Herby C. Warfield, Stella D. Covington, Rhosu Griner, William A. Hall, Danny Steppe Perdo, Stanley Washington, Seth B. Wilder, Ulysses Orr Jr., Ellis R. Smith, Leondos Wilkins, Bobby Blumfield, Ernest G. Stover, Agustas Thomas, Michael A. Agnew.

Charles B. Coates, James O. Spruill, Vincent E. Dash, Kevin G. Hunt, Tyrone D. Bush, William L. Ware, Horace Gary, Joseph D. Gwynn, Michael Wilson, Wendell A. Brooks, James Hinson, Gary Endicot Gaylor, Jacqueline James, Keith Otis, James Thomas Brawner, Michael English, Ghirmal R. Tessema, Albert O. Thompson, Antonio D. Brady, Ronald E. Elus, Thomas Jackson, Onas A. Orestes, Leonard Blytner, Pyzon Wade, Quintin D. Williams, Willie Buckmon Jr., Anthony J. Lowery, Curtis I. Marshall, Timothy Brandon, Alvin Breland, James Thomas Fields, Tito Pullen, Ricky Murphy, Lloyd Nathan Copeland, Franklin D. Monroe, unknown (male), William Harris, Anthony M. Anderson, Clarence Washington, Eric Ashely, Darnell J. Monroe, Lester L. Presson, Keith Barnes, Ron Coleman, Bernard E. Johnson, Timothy E. Lewis.

William Tyson, Mark Murphy Jr., Nathaniel Williams, Cedric Francis, Sinclair Green, Eric B. Jones, Derrick Ben McKnight, Nguyen Tran, Michael Campbell, Billy Everett, Mahandeo Persaud, Leroy Scott, Jose A. Cruz, Larry Fuller, Anthony Butler, Cornelius Hill, Cornell L. Thomas, George Hemphill, Troy Bush, Richard A. Taylor, Michelle Logan, Sean Maurice Kornegay, Russell Savoy, Michael Tuck, Michael T. Harvey, Kevin Percel McNair, Douglas Jay Linder, Erika L. Riggins, Philip Barocas, Patricia Drew, Tamonthy Johnson, Norman G. Price, Ethel Simmons, Albert King, John Smith, Larry Glenn, Terry Eugene Owens, Ronald A. Robinson, Roberto Lopez, Lisa Marie Ward, Katherine P. Russell, Alvin Cummings.

Marcus Lee, Paul Anthony Moore, Anthony E. Morrissey, John Edwards, Cary Jackson, Ronald Jones, Orlando Stinson, Sylvia Howard, Antoine Ruffin, James Frazier, Michael McQueen, Clayton Montgomery, James Dukes, Arnaz Rubio Mitchell, John W. Shields, Nathan Canada, Jose Jenero, Abarham Holmes, Cory Nelson, unknown (male), Dexter Fields, Curtis Pugh, Chamel Williams, Warren Kingsbury, Barmitale Williams, Robert Earl Johnson, Charles Williams Jr., Varron K. Carter, Deborah Ann Davis, Kevin Koonce, Leon Anthony Porter, Lina Sanchez, Bernard Anderson, Tony Maurice Dublin, Curtis C. Harmon.

Maxie Lamont Wright, Kiran Pandey, Norman Shields, David Henderson, Kerry Lann McLeod, Norman R. Mizzell, Donnell Luckett, George Rawlings, Ralph W. Asante, Darvis A. Dozier, William Jones, Booker T. Daniels, Calvert Davis, Donald C. Gamblin, Bernard E. Queen, Richard Smith Jr., Unknown (Female), Rinnie Stewart, Stephen E. Leight, James C. Quattrochi, Cheeri D. Rhymer, Keith A. Wiggins, Cary Cain, Lionel Harris, Robert A. Austin, Donnell Burroughs, Michael T. Crowder, Milton M. Jones, Jason Rufus, Jonah Denson, Marvin James Murphy, Coley Young, Lawrence Brown, Jeffrey D. Rowland, unknown (male), Anthony Roland, Wayne Anderson, Robert Dawson, Cedric L. Boyd, Marcus Cleo Thompson, Jean C. Gassaway, Willie Young Jr., James Allen Long, Tommis D. Mackall, Abdul B. D. Raheem, Joseph Green.

Vernon Dale Page, George Adams White, Gregory C. Rogers, Norman K. Jackson, Kevin M. Jackson, Andre L. Lee, Jowell David Brookenberry, George Reid, Sharon Benson, Francisco Manzand, Jacqueline Garnett, Willie Spann Jr. Juan Jose Alvarez, Michael Mayo, Stanley Lee Mack, Dean Hicks, Charles West, Terrence S. Harris, Dante Kennedy, Emmett Pugh Jr., Anthony G. Robinson, Paul Washington, Sibley E. Hammonds, Dale Hegwood, Reginald Lott, Jeffery L. Wilkins, Chester T. Davis, Mildred Johns, Joan William, Ricky Eric Lewis, Augustus Frazier, Fay Sureena Murray, Stanley B. Morgan, Walter H. Thompson, Eric L. Mason, Lemuel Adam Conic, Michael J. Hall, Anthony Lee Dent, unknown (female), Tyrone Wells, Antonio R. Pigatt, Gerald Bazell, Onyribe Kingsley, Patrick E. Manning, Jose Sanchez Sr.

Vernon V. Blake, Leon L. Coachman, Billy Hopkins, Luis Roberto King, Ruel St. M. McPherson, Franklin M. Mendez, Marco White, Maurice Curtis, Charles L. Phillips, Charles L. Sanders, Beyound J.X. Edwards, Eric Michael Hunter, Ronald A. Overby, John Patrick Winston, Wanda Young, Michael T. Dozier, Carl Anthony Green, Demetrius Lake, Eric Williams, Cheryl J. Robinson, Solomon Roziner, Cleveland G. Boddie, Edward Eric Burke, John Leonard Fenwick, James Jacob Richardson, Lenard M. Payton, Norman L. Mason, James C. Murray, Henrietta Washington, Reginald B. Riley, Ronald Lee Gilliam, Billy Ray Tolbert, James Robert Wood, Michael Todd Branch, Anasdzia Neumann, Daniel B. Williams, Michael Jennifer, James Kimball, Robert W. Parks, John Parker, Sophia Jones, Billy Auvis Shelton, Darwin C. Pratt, Tyrone Mills Hamilton, Carl Dupree Sr., Douglas E. Spencer, Murphy Wright Jr., Todd Louis Allan, Terry Andre Goodwin, Keith E. Jenkins, Nikita F. Morris, Maurice A. Robinson.

Thomas Leory Gross, Eric Stanley Robinson, Ronald Jay Shelby, David N. Vick, Ricardo C. Minnis, Leonard A. Phelps, Dwayne C. Taylor, Angela White, Sameer P. Bhatt, Andre Hinkle, Mary M. Smith, Darryl D. Waldrop, Michael Barnwell, Frederick Beavers, Phillip A. Parks, Reginald J. Cobb, unknown (male), Tanya McKnight, Walter C. Veney, Derrick B. Crestwell, Clarine M. Collier, Nevel James, Felman M. Hampton, Frank Seth Gibson, Andre Reese Jr., Michael J. Porter, Robert S. Webb, Catherine Kirksey, Gwendolyn Allen, John Eugene Dunkin, Keith Winters, unknown (male), Herman Allen Guy, Verlee Jackson, Derrick N. Williams, Margaret M. Smith, George Wright, Okeyia S. Kelly, Lawrence W. Anderson, unknown (male), Arthur Tate, Vincent S. Parker, Khan Anthony Daley, Vincent Green.

Muhammad A. Rabbani, Leyvonne Hickman, Eric Wendell Noland, Andrea Alston, unknown (male) Donna Bigesby, Timothy Borum, Keith Willie Brandon, Corey Lamont Johnson, Jamil Milton Thrash, Rahsaan Folks, Michael J. Gathers, Janet Lynn Dixon, Timothy L. Paire Jr., Steven Ray Sturgis, Andre James Jennings, Sun Sop Sung, Edgar Edward Barnes, Edwin Merino, Michael A. Charles, Darryl T. Morgan.

□ 1750

TRANSPOSITION OF SPECIAL ORDER TIME

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent that the special order on October 26, 1993, for the gentleman from Michigan [Mr. BONIOR] be transposed with the special order for the gentlewoman from Hawaii [Mrs. MINK].

The SPEAKER pro tempore (Mr. GUTIERREZ). Is there objection to the request of the gentlewoman from California?

There was no objection.

ILLINOIS REMEMBERS ZEKE GIORGI, DEAN OF THE GENERAL ASSEMBLY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. MANZULLO] is recognized for 5 minutes.

Mr. MANZULLO. Mr. Speaker, Illinois is mourning the loss of Edolo "Zeke" Giorgi, the dean of the Illinois General Assembly, who served Rockford and his State for nearly 30 years, and who died on Sunday morning, October 24, 1993.

This was truly a public servant.

Zeke's main objective in life—personally and legislatively—was to help people. Party labels mattered not to Zeke: Whenever a person had a problem, it was not a party issue; it was a person issue.

A young lady called upon Zeke one day and told him she could not afford to buy her kidney medicine without quitting her job and going on public aid. Zeke called the pharmaceutical company and arranged to have her placed on its indigent program. She never had to go on public aid. Zeke helped her keep her self-esteem.

On another occasion, Zeke paid the motel room for a homeless, legless man. Zeke raised money for an airline ticket to fly a constituent to Seattle for the funeral of the man's brother. He also arranged other flights for constituents and somehow raised the money.

Zeke walked the extra mile that serves as the example of how a legislator should act. Zeke helped several seniors—in fact, at one time a total of eight—kept their checkbooks and served as their designated payees so that their Social Security money would stretch.

A family had its furniture in storage and had no place to live. Zeke found them housing, personally paid for the storage rent and truck, and then personally helped move their furniture.

Mr. Speaker, there are very few Zeke Giorgis in this world. If there were, it would be a better place. I am sure Zeke's name will be inscribed on some public building, and that is most appropriate, but his legend has already been inscribed on the hearts of the people he loved and served. Very few people can leave that legacy—Zeke did.

Well done, good and faithful servant. We will all miss you.

ESCALATING VIOLENCE BY THE IRA AND PROTESTANT EXTREMIST GROUPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. MCCLOSKEY] is recognized for 5 minutes.

Mr. MCCLOSKEY. Mr. Speaker, it is a dire day again when escalating violence by the IRA and Protestant extremist groups threatens to extinguish the strand of hope radiating from the Hume/Adams peace initiative.

As chairman of the Friends of Ireland, I rise to absolutely condemn the Irish Republican Army bombing in Belfast which killed 10 and wounded over 50.

In response, Protestant extremist groups have struck against the Catholic community in Northern Ireland, killing four thus far.

Innocent victims range from a 7-year-old Protestant girl, killed by the IRA bomb, to an elderly Catholic man who was killed after being brutally beaten.

Protestant extremist groups like the Ulster Freedom Fighters and the Ulster Volunteer Force have vowed more retaliatory killings. This unfortunately threatens to encourage yet another cycle in the spiral of sectarian violence in Northern Ireland which has claimed close to 3,100 lives in almost a quarter century.

Catholic and Protestant extremists are clearly attempting to scuttle the Hume/Adams initiative. The true tragedy is that they may have succeeded. It is crucial, however, threat efforts to find a lasting peace continue.

John Hume and Gerry Adams both have demonstrated personal courage in developing their initiative. I am not saying it was perfect or even that ultimately it would have necessarily succeeded.

However, it did represent a possible peaceful resolution to the troubles. Now terrorists who profit from the violence and instability are indiscriminately killing innocent Protestants and Catholics.

Yet again, a flickering flame of hope in Northern Ireland may be extinguished by bombs and a hail of bullets.

The Friends of Ireland includes almost a quarter of the Members of Congress, representing Irish-American constituencies of both Catholic and Protestant heritage.

In the last decade, great strides have been made in bringing together political leaders in Northern Ireland, England, and Ireland. From the Anglo-Irish Accord, to the Three Strand Talks, to the latest Hume/Adams initiative, imaginative and daring proposals have come forth in the name of peace in that troubled region.

Now, in this time of renewed violence, I urge that the small tentative steps toward a lasting peace not be obliterated by senseless violence by thugs. As chairman of the Friends, I believe the United States stands willing to facilitate genuine reconciliation.

But outside concern will not end the violence. True reconciliation and peace must come from the communities in Northern Ireland.

I urge the political leaders in Northern Ireland, the British Government, and the Irish Government not to give in to the brutal killers of 7-year-old girls and old men. I urge them to continue their dialogs and not abandon the hope of peace.

RESOLUTION REGARDING POLLY KLAAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Ms. WOOLSEY] is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, today I am introducing a resolution of great importance that could mean the difference in the search for a missing child.

As many people throughout the Nation already know, Polly Klaas was kidnapped at knifepoint from her home in Petaluma, CA, the night of October 1, 1993, while her mother slept in a nearby room. Since the night of Polly's disappearance, her family, the Petaluma Police Department, the FBI, and hundreds of volunteers have been working nonstop to find Polly. Despite their tireless efforts, Polly Klaas has not yet been found.

The resolution that I am introducing today, will provide much needed, additional support to the search for Polly. It will urge the Attorney General and the Director of the FBI to cooperate with the U.S. Postal Service and the Polly Klaas Search Center to disseminate information nationwide about the abduction of Polly Klaas. And, it will emphasize doing so as quickly as possible.

The widespread distribution of Polly's picture and the sketch of her suspected abductor could mean the difference, Mr. Speaker, in the search for Polly, because kidnapped children oftentimes are recovered as a direct result of the circulation of photographs. With

additional information distributed nationwide, someone may recognize Polly, from her picture, and be able to provide the information that leads to her safe return.

This resolution also commends the numerous volunteers for all of their hard work to help locate Polly. Practically overnight, the people of Petaluma transformed an empty storefront into a sophisticated search operation. The Polly Klaas Search Center has been run by hundreds of generous volunteers who have donated their time, energy, and funds. As a result of their kind donations, over 7 million flyers with Polly's picture, and the picture of her suspected abductor, have been distributed around the country.

The major problem, however, for the Polly Klaas Search Center and the Klaas family, as they work to find Polly, has been the high cost of postage. The U.S. Postal Service is prohibited by law from offering free postage, except to military personnel in times of war. Well, Mr. Speaker, I believe that this is a war—a war against our children, and one that we cannot afford to lose.

Polly's parents, Eve Nichol and Mark Klaas, told me that they believe this resolution is important to their battle to bring Polly home. Mark and Eve have sent a letter to all the Members of Congress asking them support this resolution for the sake of their daughter. I would like to read part of this letter. And, I quote:

From the moment the town heard about this unspeakable horror, they mounted an unprecedented volunteer effort. A Polly Klaas Center was set up, and thousands of people from all over have joined the effort to search for her and distribute fliers throughout the country. Local companies have donated \$1 million dollars worth of paper, printing, and supplies. But to date, we have spent in excess of \$200,000 for stamps, and we continue to spend thousands more each day, just for postage * * * Our ultimate goal is that families in this situation in the future won't have to lose precious time raising funds for postage * * * Today, we ask you to help in our effort to find Polly now. Please help us.

Mr. Speaker, this tragedy has grabbed the attention of the national media. Stories about Polly have appeared on "America's Most Wanted," "CBS This Morning," and "CNN," as well as, in the Washington Post, the New York Times, and People Magazine. It is clear that this real life nightmare has sent shock waves throughout America. Parents in every community are wondering how such a thing could have happened, and if it could happen to them.

Mr. Speaker, we cannot sit idly by and watch our Nation's families be consumed by fear. We must act, and we must act now.

I urge my colleagues to show American families that they won't let their concerns go unnoticed. By cosponsoring this important resolution we show

that the Federal Government can, and will, mobilize and do its part to help a family, and an entire community, fight back against one of the most hurtful and tragic crimes imaginable—the kidnapping of a young child.

Mr. Speaker, I would like to once again call on my colleagues to include information about Polly, as I have done, in the newsletters that they send to their districts. This could also make a crucial difference in the battle to find Polly. We all must do our part to aid in the search. My office has the necessary information available, and will assist any Member of Congress who wishes to participate in this effort.

Mr. Speaker, I ask my colleagues to please join me to help bring Polly Klaas home.

Thank you, Mr. Speaker, I yield back the remainder of my time.

□ 1800

VACATION OF SPECIAL ORDER AND REQUEST FOR SPECIAL ORDER

Mr. DORNAN. Mr. Speaker, I ask unanimous consent to vacate my 60-minute special order and to be granted a 5-minute special order.

The SPEAKER pro tempore (Mr. GUTIERREZ). Is there objection to the request of the gentleman from California?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE CONCURRENT RESOLUTION 166

Mr. DORNAN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of House Concurrent Resolution 166.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

A VISIT WITH RANGERS AND SPECIAL OPERATIONS FORCES AT WALTER REED ARMY MEDICAL CENTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN. Mr. Speaker, I spent a couple of hours this afternoon up at Walter Reed visiting with some of the Rangers and Special Ops men who were wounded on the night of October 3 and October 4 in Mogadishu, or the afternoon of the 3d. What they told me was not a 7-hour fire fight or a 9-hour fire fight, or now it is up in some journals to an 11-hour fire fight. They said it was 15 hours.

What they described to me in their own words I have no argument with. They said it was the hottest, the most

ferocious fire fight since World War II. That is saying something, from experienced senior sergeants and one officer.

The impression that our men were sniped off during the night is not exactly correct. Most of the fire was AK-47's on automatic, constantly, and hundreds of them, a staccato, they said, that went on for the first 3 or 4 hours that was deafening. One young Ranger with bad leg wounds said his humvee, which is a light wheeled vehicle, the same one that Nieman Marcus has, a red color, for sale, the one Arnold Schwarzenegger drives around, they said it was like cardboard, even though it was described as an armored humvee. His was hit with three RPG's and a hand mine at the same time.

I turned to the colonel who was with me from liaison and I said, "Did you know that, Colonel?" He said, "No, I didn't. I am learning something here."

The President went to see these people on Sunday. The Secretary of Defense went to see them on Monday. We are all going over to see them, but what are we going to learn from this? I told them I would like to come back. They said, "Absolutely." They want to talk about Haiti, about Bosnia, about using our military as an instrument of foreign policy under the United Nations, or sending Rangers in August after we had already lost a dozen men, to use as the sheriff's posse to go after Aided.

Now we do not know if Aided, Mohamed Farah Aided, is part of a negotiating process. There is the smell in the air that a deal was cut: "Get the Rangers out of town, and we will give you back Warrant Officer Michael Durant." No proof of that, it is just a strange juxtaposition of events.

We are going to put 3,600 Marines in there, some of them on the ground in tents, 10 years younger than the average age of the Rangers, and some other special ops guys from Fort Bragg, to do a job that they almost came close to doing in six or seven raids, and then were jerked out.

The whole thing makes me focus on Haiti. I will do a special order, ask for one later in the week, on Haiti, Bosnia, and bring in some color blown-up photographs, 3 by 2 feet, that I took from the skies, over the skies of Mogadishu.

Then I will do another special order later in the week or the first of next week on why I believe Morton Halperin, as a created position under Secretary of State for Peacekeeping and Democratic Affairs, why he should not be approved by the Senate as a civilian overseer of our excellent military forces.

All the general forces, officers, all the field grade officers, company grade, and all the enlisted men I have seen in the Air Force, Marines, and particularly in the Army and our Rangers and others specially trained men that have been fighting in Somalia, I just cannot

conceive of better people ever being in uniform at any time in the history of our Nation.

Ronald Reagan confused a great fiction film from James Michener's book, "The Bridges of Toko-Ri" with a real story that he had heard somewhere. The fictitious ending, with Frederick March playing Admiral Tarrant in that great story, "The Bridges of Toko-Ri," came out a long time ago, in 1954.

At the end of that film, the admiral is on the bridge. He says:

Where do we get such men? Where do we get such men? They go out, they do their job, they come back and they find this pitching deck on these rough seas. How is America lucky enough to have such men?

Even though it is fiction, it certainly applies to these tough, handsome young guys with their bodies being put back together up there at Walter Reed, and at the hospital at Fort Benning and Fort Campbell and Fort Bragg and all of the Marines that came back with wounds. This is a tough story, Somalia. I do not think yet in this Congress or in the executive mansion we have the answers to their sons, daughters, wives, fathers, and mothers, many of the fathers veterans of Korea and Vietnam, and in one case a survivor of both wars, we today do not have stories for their brothers or sisters, uncles, aunts, all the people who love them as close family, to explain to them precisely what our foreign policy is, what our use of the military is, how we are going to put 25,000 people into Bosnia or why we are defending a crazed, defrocked, drugged-up priest to be inserted back into Haiti.

□ 1810

RUSSIAN OCEAN DUMPING OF NUCLEAR WASTE

The SPEAKER pro tempore (Mr. GUTIERREZ). Under a previous order of the House, the gentleman from Pennsylvania [Mr. WELDON] is recognized for 5 minutes.

Mr. WELDON. Mr. Speaker, I rise today to extend some further information on a 1-minute speech I did this morning on the floor regarding the terrible condition in our oceans relative to the Soviet Union dumping radioactive waste from its nuclear-powered submarines and ships, as well as from its nuclear installations.

It was just several weeks ago that I asked the Subcommittee on Oceanography, on which I am the ranking member, to convene a hearing on the practices that the Soviet Union has undertaken for the last 20 years in illegally dumping nuclear waste in our oceans, and especially in the Arctic Ocean. I want to put things into perspective, Mr. Speaker, and relate the amount of dumping to the one major incident we see in this country involving nuclear contamination. Three Mile

Island was a nuclear accident that occurred at a powerplant in my home State several years ago, which received international notoriety. During the entire duration of the Three Mile Island there was a total of 15 curies of radioactivity released into the atmosphere, 15 curies. In a study that was released this past spring called the Avlakov report, by a commission under Boris Yeltsin, the Russians now admitted that over 2½ million curies of radioactive contamination have been discharged into the oceans of the world.

Following up on that in hearings we held September 30 we have now found out there is currently 10 million curies of radioactive waste sitting in ships in Murmansk harbor because the Russians do not know what to do with this waste. They do not know how to dispose of it, they do not know whether to sink these ships, as they have done in the past, or whether to make some other efforts.

Mr. Speaker, this is becoming a scary situation nationwide. I was very cautious during the hearings that I not sound like an alarmist, and I said that during the hearings to which Dr. Ned Ostenso, Assistant Administrator for NOAA responded to me:

Congressman, I am not sure what the difference is between an alarmist and a realist, because what you are saying is in fact reality.

In fact, we have this terrible problem worldwide of totally uncontrolled dumping of nuclear waste, primarily by the former Soviet Union, by Russia.

The most recent incident was the sinking 4 years ago of the Russian submarine, the Komsomolets, which sank in the Arctic Ocean. Dr. Tengig Borisov, chairman of the Russian commission that was recently established to deal with radioactive pollution in the seas, was asked what would happen if this submarine somehow broke apart and the contamination then impacted the waterways, and here is what he said: "If there is a leak, fishing will be impossible in the Norwegian Sea for between 600 and 700 years."

Now this is from one ship. The Russians, as we now are finding out through the efforts of Boris Yeltsin, have literally hundreds of ships that have both been deliberately and accidentally sunk in the oceans of the world.

Mr. Speaker, we have a real global tragedy on our hands, and unfortunately we are not doing enough about it.

I recently wrote to President Clinton and asked him in upcoming discussions that are going to take place at the International Maritime Organization meetings in London, that we support the effort of the Danish Government to put into place a complete ban on the illegal dumping of both low-level and other nuclear waste in the oceans of the world. I would urge my colleagues

to join in this effort, and to also use whatever resources we have available to use to assist the Russian Government in attempting to deal with this problem of the 10 million curies currently sitting in ships in Murmansk harbors, as well as the nuclear-powered installations they have throughout the former Soviet Union. As a matter of fact, Mr. Speaker, the same problem exists whether with their nuclear reactor plants, and there is a terrible problem waiting in the wings for us in terms of Russia doing away with these plants.

As a matter of fact, the Navy disclosed to us that entire nuclear reactor plants have been disposed of in both the Kara and the Barents Seas. In fact, they list 18 nuclear reactor plants, 7 of them fueled, dumped in those seas, 13 submarine reactor plants, 4 of them fueled, 3 reactor plants from the ice-breaker Lenin, one of them fueled, and one entire submarine with 2 reactor plants, both of them fueled. All of these were dumped in the Kara and Barents Seas.

Mr. Speaker, we must as a nation ignore the interest of the world community in coming to grips with this problem. It is severe, it is real, and it requires the attention of this country and all nations because of the potential damage this will do environmentally to the waters and seas, especially the Arctic seas that have been impacted by the illegal dumping by the former Soviet regime.

Fortunately, President Boris Yeltsin has been very cooperative in attempting to establish a relationship with us and the other nations of the world to deal with this problem. We must follow through and assist him in these efforts.

COMMERCE SECRETARY BROWN'S INVOLVEMENT IN NORMALIZATION OF RELATIONS WITH VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 60 minutes.

Mr. BURTON of Indiana. Mr. Speaker, some time ago my colleagues were informed about possibility that our Secretary of Commerce, Mr. Brown, received a \$700,000 bribe from the Vietnamese Government in order to assist them in having relations with our Government normalized. There had been a longstanding commitment to the families of the POW-MIA's in this country that until there was a full accounting of those who were missing in Vietnam, the 2,200, until that was completed, there would be no normalization of relationships with that country.

Well, Mr. Brown allegedly, before he became Secretary of Commerce, met with a gentleman named Mr. Hao, who was a representative of the Vietnamese Government, and he met with Mr. Hao

not once but three times, the third time being after he was confirmed as Commerce Secretary, and in his office at the Commerce Department. And Mr. Hao was the conduit between the Vietnamese Government and Mr. Brown, and allegedly arranged a \$700,000 downpayment to Mr. Brown to try to get relations between our two countries normalized.

The Clinton administration in July and in September took two giant steps toward normalizing relations with Vietnam, and that has caused a lot of consternation and concern among a number of Members of the Congress of the United States, especially in view of the fact that the man who has made these accusations, a man named Mr. Binh Ly, successfully passed a lie-detector test that was 6 hours long, given to him by the FBI. Since Mr. Binh Ly took this lie-detector test, there has been a grand jury paneled in Miami, FL, and the grand jury is currently conducting an investigation to find out whether or not Mr. Brown should be indicted.

I just found out that the FBI has intensified their investigation at the request of the grand jury in Miami over the last 2 weeks to try to expedite this as quickly as possible. I also found out today that although Mr. Brown said he had never met Mr. Hao, and he said this I understand to the chief political correspondent, Mr. Howard Fineman, of Newsweek, personally he told him he never met Mr. Hao, he then later recanted, and his press secretary and his attorney said that he not only met with Mr. Hao once, but three times, the third time being after he was confirmed, as I said before, as Secretary of Commerce, at the Commerce Department.

We also found out today that Mr. Hao met with Mr. Brown in Miami the first time, and there was an associate from the DNC, the Democrat National Committee, with Mr. Brown at that first meeting. The man's name is Mr. Bill Morton, and he is now an official of some type at the Commerce Department.

All of this needs to be investigated very thoroughly, and that is the reason why on September 30 I wrote a letter to the President of the United States, Mr. Clinton asking him to give us any information he could about the problems involving Mr. Brown, and he try to freeze the normalization process with Vietnam until the whole issue had been resolved. Specifically I requested that because the POW-MIA families are very concerned about not having a full accounting about their loved ones who were left behind.

Second, on October 13 I wrote a letter to the President also asking that there not be any steps taken to lift this embargo. And we have not yet heard from the President on either one of these two letters.

On October 19 we wrote a letter to Janet Reno. She had said publicly that she was concerned, and I quote: "If I appoint a person or select a person to be special prosecutor you, meaning the press, are still going to question the conflict of interest as long as I'm involved in that process."

Again she went on to say, "For me to appoint somebody who will be asking me, well, that person has a conflict too because you appointed them."

□ 1820

Both quotes are taken from the Washington Post of October 1.

The Republican leadership of the House, the gentleman from Illinois [Mr. MICHEL], the gentleman from Georgia [Mr. GINGRICH], the gentleman from Texas [Mr. ARMEY], and the gentleman from Illinois [Mr. HYDE], and myself wrote a letter to the Attorney General, Janet Reno, giving her a list of eight former attorneys general and prosecutors, special prosecutors, from which to pick a special prosecutor to investigate this case. All of these people have impeccable credentials and are above reproach.

We have not yet heard from her. We are hoping to hear in the not too near future that she has decided to select one of these to be a special prosecutor to investigate this case.

Finally, today we have written a letter to the President once again, signed by about 25 Members of the House, asking that Secretary Brown recuse himself from any involvement or any negotiations with the administration involving possible normalization of relations with Vietnam. We do not believe while he is under investigation by a grand jury in Miami or while he is under investigation by Members of the Congress of the United States he should be involved in any way in any possible activities involving the normalization of relations with Vietnam. We have not yet heard back from the administration or Ms. Reno on any of these issues or any of these letters that have been written.

I understand also today that the ranking Republican on the Committee on Government Operations, the gentleman from Pennsylvania [Mr. CLINGER] sent a letter to the White House asking for logs, telephone logs, travel documents, and other things that would give us a better handle on this, so that we could as a Congress find out what happened and possibly avoid a full-fledged investigation.

Today or yesterday he got a letter, which was totally inadequate, from the Secretary of Commerce. They called down to the Commerce Department to ask a spokesman for Mr. Brown if Mr. Brown had in fact recused himself from any involvement in Vietnam, and the answer was "no."

So Mr. Brown is still involved as Secretary of Commerce in possible negotiations with them. I think that is

wholly inappropriate, since that investigation is taking place not only in Miami with the grand jury down there but also by the Committee on Government Operations in this House.

If we do not hear from the President, Mr. Brown, or Ms. Reno in the relatively near future, we will have no choice but to have a motion of inquiry, a resolution of inquiry filed here in the House to try to force the issue.

I think it is extremely important because there are clouds hanging over the Clinton administration right now that these questions be answered very, very quickly; it is extremely important. We do not have a complete count of the POW-MIA's, in fact we do not even have a cursory accounting of the POW-MIA's. Two thousand two hundred of their families are still concerned about that, No. 1; No. 2, the Clinton administration took two giant steps toward normalizing relations with them by asking the World Bank and the IMF to go ahead with loan agreements with the Government of Vietnam. The second step was taken in September to allow American industry and businesses to go over there and, where World Bank or IMF loans have been approved, to allow them to bid on that business.

This created all kinds of questions. I would just like to say, Mr. Speaker, that the President ought to answer these questions as quickly as possible, give us a complete accounting; Ms. Reno should appoint a special prosecutor as quickly as possible; and Mr. Brown should recuse himself from any involvement in the negotiations on Vietnam until this issue is resolved.

With that, Mr. Speaker, I will conclude my remarks on this issue.

SITUATION RE: ILLEGAL ALIENS IN CALIFORNIA IN PARTICULAR AND IN THE UNITED STATES IN GENERAL

Mr. Speaker, I would like to talk about one other issue along with my colleague, the gentleman from California [Mr. GALLEGLY], who has been working for some time on the immigration problem, the illegal immigration problem that we face with Mexico and other countries.

Right now we have before this body and the other body what is called NAFTA. The NAFTA agreement will have a tremendous impact on the people of this country and the economy of this country one way or the other, depending on your point of view.

One of the big problems or stumbling blocks with NAFTA is the problem of illegal aliens or illegal immigrants. I would like to tell my colleagues that the estimated cost to the taxpayers of this country from illegal aliens coming into the United States is at least \$11.9 billion a year. To give you some breakdown of that, we have a gentleman named Huddle of Rice University, who did an analysis of the overall costs. My colleague from California who com-

piled this information will want to participate in a moment or two. He said it costs, Mr. Huddle said it costs \$11.9 billion to the taxpayers, net, in 1992. In California the estimates of net direct costs, including job displacement, range from \$3 billion to \$5 billion. Over the next decade, if nothing is done, Mr. Huddle estimates that the total net cost will be an incredible \$186.4 billion a year.

Now here are some specific areas: He estimates that last year for welfare we spent \$819.9 million in AFDC payments; \$290 million in housing assistance; \$2 billion in uncompensated medical care and other county health/welfare programs nationwide.

Next year MediCal—that is, California's version of Medicaid—expects to pay \$1 billion for illegal aliens' health care. Four years ago it was only \$187 million. So it has gone up over four times in just the last 4 years.

California counties spend millions of dollars in addition to this every year.

L.A. County reports 25 percent of the patients in its public hospital beds, 25 percent of the patients are illegal aliens. Illegal aliens in California alone receive \$278 million per year in AFDC payments. The gentleman from California told me that last year there were 37,000 or 39,000 illegal alien babies born in that county alone. Is that correct? I yield to the gentleman.

Mr. GALLEGLY. In Los Angeles County last year, according to the chief administrative officer for the county of Los Angeles, over two-thirds of all the births in L.A. County-operated hospitals, the mother did not have a legal right to be in the United States. That number was right around 37,300. In fact, the Los Angeles County-operated hospitals could not handle the total demand, and we are subcontracting out to private hospitals at, of course, a much higher cost to the taxpayer.

Mr. BURTON of Indiana. I think the gentleman also told me that the AFDC payments alone, not including health care costs or education costs or anything else, AFDC payments alone were running around \$25 million alone per month just for that county.

Mr. GALLEGLY. Just for Los Angeles County alone.

Mr. BURTON of Indiana. These costs nationwide are unbelievable. Just to give you a few more facts that the gentleman supplied to me—and I appreciate this: The Immigration and Naturalization Service reports its verification system detected 10,837 illegals who applied for food stamps during 1991 and 1992, which I guess will cost the taxpayers \$14.5 million just for that.

Mr. GALLEGLY. If the gentleman will yield, the interesting part about that is that just the few that they caught who had actually applied in that almost 11,000, and we have very little or no policing in that area. That

is one of the problems that we have with the fraud in welfare and public assistance, public housing, so on and so forth; almost no policing at all.

Mr. BURTON of Indiana. Then you get into education, and you find Mr. Huddle estimates the total nationwide cost for kindergarten through 12, college and special-education programs for illegal aliens was \$5.32 billion last year, and in California there are as many as 300,000 illegal aliens in the public schools, costing \$2 billion a year to that educational system.

With respect to crime, nationwide he estimates the cost is \$1 billion a year for illegals. In our Federal prisons, 25 percent of the total Federal prison population are illegal aliens.

By next year—this is not the Federal prisons, as I understand it—but by next year in California the State prisons, in addition to the 25 percent that are in the Federal prisons, there is going to be 16,392 in your State prisons over and above the costs we just talked about.

Mr. GALLEGLY. The gentleman is correct. At issue, the number is closer to 27 percent, which was provided to us by Janet Reno, the Attorney General of the United States. At a time when we are faced with tremendous overcrowding in our prisons, at a time we are letting people out on the street who are absolutely a threat to society, this is an issue that is absolutely beyond belief when we take a look at those numbers.

Mr. BURTON of Indiana. Did the gentleman not tell me that there were 741,000 Americans who have lost their jobs or have been displaced because of the illegal aliens coming in and taking their jobs?

Mr. GALLEGLY. According to Professor Huddle at Rice University, who did a very comprehensive study which took a couple of years to put together, in his survey he has determined in a most conservative estimate 741,000 Americans have been displaced in jobs taken by those who have no legal right to be in the country.

I think it is very important to point out the fact that we all too often hear an argument that illegal immigrants in this country take only the jobs of those that American citizens or legal residents would not otherwise take.

□ 1830

That is absolutely untrue. In fact, in my own district in Oxnard, CA, recently we had an INS raid at a local manufacturer that made plumbing fixtures, a company that was employing people at \$10 or \$12 an hour. They arrested 52 individuals and deported them.

The interesting thing about it, within 2 days when the story hit the paper, there were over 250 citizens or legal residents of the city of Oxnard who were in line waiting to apply for those jobs that they had read about in the paper.

Mr. BURTON of Indiana. I was reading here that it said some of the people where they found illegal aliens had the job were getting \$15 an hour, or about \$31,200 a year. I think a lot of Americans would like to have that kind of a wage.

Mr. GALLEGLY. That was an incident I believe in the State of Nevada where they found working in casinos or some related business in the State of Nevada.

I think it is important to point out, the issue we are talking about here is not immigration. The issue we are talking about here is illegal immigration. I know my good friend, the gentleman from Indiana, is a strong supporter of immigration. We all recognize that immigration is the thing that has made this country the great country that it is. In fact, there are probably not many folks in this Chamber who cannot track their immigration roots back more than three or four generations, some even less than that; but the issue we are talking about is illegal immigration.

We every year allow more people to legally immigrate to this country than all the rest of the countries in the world combined, about 800,000 who legally immigrate to this country.

This is not only something that we have the right to do, we have a responsibility to control our borders.

In southern California, we have over 1,200,000 people illegally entering our country at the international border at San Diego, a 12-mile stretch from Otay Mesa to the Pacific Ocean. That is about 4,000 who illegally cross that border every night of the week, 365 days out of the year.

Mr. BURTON of Indiana. The gentleman might tell our colleagues what it looks like down on the border. It is kind of a big party, is it not, every night?

Mr. GALLEGLY. Well, you know, it is interesting because they have staging areas where they have vendors who come and sell food and other products during the day.

Mr. BURTON of Indiana. T-shirts and other products.

Mr. GALLEGLY. It looks kind of like a tailgate party, and they prepare for the sunset for their crossings.

Some of the interesting ways they will do it, they will send a group across that will draw the attention of the Border Patrol, and then two other groups in other positions will strategically run across.

On a best case basis, the Border Patrol—and I certainly have nothing but praise for the young men and women who are serving in our U.S. Border Patrol; they are doing an incredible job—but with the odds that they have against them by sheer numbers, solving illegal immigration with the number of people that we have on the border would be like trying to catch a B-

1 bomber with a butterfly net. You just are not going to do it.

On a best case basis, they are interdicting maybe 25 percent. They stop them and interdict them. They take them across the border and before they get the papers out, they are back in the United States.

Mr. BURTON of Indiana. Before we get into this issue of how we think this ought to be handled and what kind of a bearing it has on NAFTA, I would like to give my colleagues just a few more of the gentleman's statistics that he compiled.

The total criminal justice cost in California is almost \$500 million a year. That is State funds; is that correct?

Mr. GALLEGLY. That is State prisons, right.

Mr. BURTON of Indiana. And many illegals who serve time and are deported, returned quickly, as the gentleman just alluded to.

There was a study that said 40 percent of those who were rearrested in the United States within 12 months—in other words, they are arrested and deported and they are back here in 12 months and rearrested.

Mr. GALLEGLY. Mr. Speaker, if the gentleman will yield further, actually that was from the Los Angeles County Sheriff's Department. The L.A. County sheriff runs the county jail in Los Angeles.

In 1992, of all those who had been convicted of a crime—I am talking about a crime against personal property, not an immigration violation—but who have been convicted of a crime, served their time, that were in the country illegally and after they had served their time, they were deported, of all those who were deported 44 percent of them were back in jail after a conviction of another crime in less than 12 months. That shows you that deportation in and of itself is not working at all.

Mr. BURTON of Indiana. Something else that is very interesting along that line is that I understand there were 1,000 illegals who were arrested during the L.A. riots. I mean, my gosh, that was a tremendous part of the problem. I mean, billions of dollars were destroyed in that city that taxpayers around the country are going to be paying for, and 1,000 of those rioters were illegal aliens.

Mr. GALLEGLY. You know, this is an issue that really hits close to home for me as a kid who grew up in south central Los Angeles, who lived in the middle of the curfew zone in the 1965 Watts riots and what a tragic event that was. My job was inside the curfew zone. My home was there.

What happened in 1965 and what happened last year was not the same situation. During these riots, over 1,100 of those arrested for looting, rioting, burning, and so on and so forth, were illegal aliens.

I submit to you, and I have yet to hear anyone who really challenges this, these people who were arrested, very few of them were out defending the honor of Rodney King. In fact, I doubt seriously if they even knew who Rodney King was.

Mr. BURTON of Indiana. I hope our colleagues at least have some flavor for this and I hope that the gentleman and I can go into this in more detail at some point in the future, but what I would like to dwell on for the remainder of the time we have here is solutions to these problems.

The gentleman and I have written a letter to the President, along with about 22 other Members, talking to him about some things that ought to be added to the NAFTA agreement to help solve these problems.

One of those things was to send illegal aliens who are in our Federal penitentiaries and State penitentiaries back for executive of sentence.

The gentleman has some information on that.

Mr. GALLEGLY. There are a couple things that we were doing. One of the issues—it is not limited to Mexico and the NAFTA agreement, for instance. We are dealing with our friends to the north as well as our friends to the south, but it would be that anyone convicted of a crime in our country—that would be a part of this agreement—this is obviously something we cannot do unilaterally from a legislative standpoint, legislating the laws of other countries, but from a collective-bargaining standpoint during the course of the NAFTA negotiations, it is something that we could do and probably one of the few opportunities that we would have to have an agreement with Mexico and with Canada that anyone incarcerated in our country for a crime against another person or property, the other Government would agree to incarcerate them in their jails in their country and, of course, that is something we are working very aggressively on, and I still have not received a response back on that or the other elements from the President.

Mr. BURTON of Indiana. When you think that it is going to cost anywhere from \$25,000 to \$30,000 a year for each inmate, and you have over 16,000 in your California State institutions, not to mention the 25 percent in our Federal penitentiaries.

Mr. GALLEGLY. And that does not include those incarcerated in county jails.

Mr. BURTON of Indiana. Which is another few thousand probably, you are talking about hundreds of millions of dollars nationwide, or I think it was billions that we are paying for that.

It seems to me—and I know the gentleman concurs with this—that there are a number of steps that need to be taken. We need to do something in this body to try to help beef up our Border

Patrol people and the people in DEA who are dealing with these problems on a regular basis down there on the border.

I also have felt, I do not know how the gentleman feels about this, that with the closure of our military bases it might be a good idea to try to figure out some way as an adjunct to our Border Patrol guards to use our military to assist them in patrolling those borders, because we are having such a tremendous amount.

The gentleman said that in that 12-mile stretch, you are getting what, over a million a year?

Mr. GALLEGLY. Over 4,000 per day.

Mr. BURTON of Indiana. If you look at the whole border, the 1,980-mile border between us and Mexico, the Embassy down there told me and the gentleman from Tennessee [Mr. DUNCAN] that there are 2.3 million coming across the border and about 1.3 million stay here. So this is something we have to address. We need the assistance not only of our Government in giving more support to our border guards down there—that is, the military—but also the military side.

Mr. GALLEGLY. I think beefing up our Border Patrol is absolutely essential.

In fact, I have a bill that would provide for increasing the Border Patrol by an additional 2,500 members, giving first priority to the young men and women who are being mustered out of the military. You know, we are having tremendous cutbacks in our military today and we have a lot of young men and women who have served their country well, and for those who would meet the profile of a Border Patrol agent, No. 1 to reward them for having served their country with a job and a job that is much needed in this country and, of course, much of that training has already been borne by the taxpayers, but I think that we really have to look at this issue beyond the Border Patrol, because you could have the greatest increase in the Border Patrol humanly possible, and as far as I am concerned that in itself is not going to stop the flow of illegal immigration.

□ 1840

I think it is also important to point out that I do not blame those that are coming into this country. They are not the ones to blame that are, for the most part, economically depressed, trying to either survive or provide a better lifestyle for their families. But I blame the United States of America, this body, the Congress, for providing the incentives, the carrots, the magnets, if my colleagues will, to encourage them to come here illegally by the welfare that we are providing, public housing, and more important than that are the jobs.

Mr. BURTON of Indiana. I wish that our colleagues were all down here to

see that that is a forged ID card that they are able to get, that illegal aliens are getting to show that they are—

Mr. GALLEGLY. For about \$35 to \$40, on almost any street corner in many of the cities, certainly Los Angeles and many other cities in southern California, San Diego, they can purchase a card with their picture that is so perfect from detection that 90 percent of immigration experts cannot detect it. This complies the employer sanctions, IRCA, the 1986 Immigration Reform Act, and I have a bill that would eliminate this, along with the 28 other types of cards more commonly referred to as green cards, with 1 card that would be virtually counterfeit-proof. If we can protect a K-Mart from a \$3.20 charge with a Master Card, or Visa or whatever, we certainly ought to be able to do the same as it relates to millions of jobs in this country, along with the other benefits. But until we stop the access to jobs and other public services there is no way we are going to be able to stop this increasingly large number of people from illegally entering this country.

Mr. BURTON of Indiana. One thing that will bring this to a conclusion here pretty quickly, but one thing that was very interesting to me, was when the gentleman gave me the pamphlet from the MediCal system in California which says that, "If you're an illegal alien, and you come in to get a child, have a child or have hospital care, you will not be reported to immigration officials," and it says that about three times in there, and they not only print that in English, they print it in Spanish and are passing them out down along the border, I understand, which is almost like an invitation saying, "Come on across the border, and you can have your baby here in the United States which will immediately become a citizen, and there will be no repercussions."

Mr. GALLEGLY. And of course the minute that takes place, then the child is, or I should say the parent, the legal guardian, is eligible for AFDC, health care, housing, and all the other benefits, and that amounts to well over a thousand dollars a month. And that incentive, we could be using that money, I think, a lot more wisely in trying to help discourage by finding areas to improve the economy, the countries that are particularly Mexico, but, as the gentleman knows, I know we are kind of short on time here, but there is one point I really want to make before we wrap up:

If we are going to really be intellectually honest on this issue, I think we have got to take a look at really who is being hurt by illegal immigration. Through the grace of God the gentleman and I, and most of the Members of this Congress and others that are probably listening that have a job, can provide for their families, and a couple

of square meals a day, and buy a pair of shoes when the kids need them, but those that are dependent upon public health care, those that are dependent on public housing, those that are dependent on that entry-level job, the minorities in the ghettos that are trying to get that first job, that labored job, that unskilled job, so they can pick themselves up by the bootstraps and work their way out of the ghetto, try to strive for the American dream and the middle class, they are the ones that are being shoved to the back of the line. They are the ones that are competing for the jobs against those that do not have a legal right to.

So, if we are going to be intellectually honest, the people that are being hurt the most by illegal immigration are those that afford to be hurt the least.

Mr. BURTON of Indiana. Americans.

Mr. GALLEGLY. Right.

Mr. BURTON of Indiana. Let me ask one more question of the gentleman:

As I understand it, in California you have some hospitals where Americans have to wait to be taken care of because of the overcrowdedness created by these illegal aliens that are there.

Mr. GALLEGLY. Well, Los Angeles, L.A. County hospitals, are certainly a classic example of that, and I would welcome any and all of our colleagues that have any interest to take a visit there with me, look at it firsthand and see who is hurting, see who is hurting.

Mr. BURTON of Indiana. Well, I want to thank the gentleman from California [Mr. GALLEGLY] very much for all his work. I am a cosponsor of his bills, and I will continue to work with the gentleman to try to solve these problems.

I say to the gentleman, You are to be congratulated. If everybody in this body would take the time to research this like ELTON GALLEGLY of California, we would get this problem solved.

Mr. GALLEGLY. I say to the gentleman, DANNY, I appreciate your doing this special order tonight. I think you know we have worked together for many years. This is my fourth term, and in the four terms I have served here, this is the first special order I have done. I don't come here on a regular basis. In fact, this is the first special order I've done. I feel very firmly, strongly, that this is a very important issue affecting all Americans, not just those that live in the border States because all American taxpayers are paying the bill even though you may not have the presence in your neighborhood.

Mr. BURTON of Indiana. I hope our colleagues will take what the gentleman has said to heart, and I really appreciate his hard work.

TRIBUTE TO LEON SHULL

The SPEAKER pro tempore (Mr. GUTIERREZ). Under a previous order of

the House, the gentlewoman from Hawaii (Mrs. MINK) is recognized for 60 minutes.

Mrs. MINK. Mr. Speaker, I take this time this evening in a special order in order to pay special tribute to a very dear friend and colleague with whom I have worked for a number of years, and this individual is a person of quite rare abilities, and his talents and experiences are very extensive, and we here tonight would like to pay special tribute to him, not only because he is celebrating his 80th birthday soon, but because it often does not get recognized when an individual has contributed so much.

Mr. Speaker, I came to the Congress in 1965 during my first tenure here, and this remarkable individual was director of the Americans for Democratic Action at that time. So, I have known him for a long time, and he has made a tremendous contribution toward the debate that engages this House, and I think it is quite appropriate, therefore, since he spent most of his time here in Washington engaging the Congress, and raising our level of perception and serving as the conscience of America, that we take time tonight to recognize his service and to wish him a very hearty happy birthday on his 80th year.

I would like to at this time yield to my colleague, the gentleman from California [Mr. EDWARDS], who has some words to say about Leon particularly because he served as national president of ADA when Leon was here.

Mr. EDWARDS of California. Mr. Speaker, I thank the gentlewoman from Hawaii [Mrs. MINK] for arranging for this special order tonight. It is really a wonderful event because Leon Shull and his wife are great people and were great people when I was so intimate with them many years ago. I was the national president of ADA from 1965 to 1967, and I was lucky because Leon had come aboard as director in 1965, although he had become the director in 1964, and these were very exciting days because they were the first part of the Great Society of Lyndon Johnson, and we made great progress in those exciting years.

For example, Mr. Speaker, the poverty rate in the United States in 3 years went from 19 percent of the population to 12 percent. We enacted programs like Medicare, Medicaid, aid to elementary and lower education, food stamps and, of course, the Voting Rights Act of 1965 where Leon and I had the partnership of that great, great civil rights lawyer and dear friend who is not with us anymore, Joe Rauh. It was a terribly exciting and creative period of time, and unfortunately it sort of ran out of gas when the Vietnam war sort of took the country by storm. It was an interesting era in other ways because Joe Rauh and Leon Shull were not the least bit shy about getting into some real exciting and controversial issues.

Mr. Speaker, in those days we were being bullied nationwide by the House Un-American Activities Committee. It would go up and down the country holding kangaroo courts that ruined the lives of a lot of people in Hollywood and elsewhere, and so Leon kind of pushed ADA, and me and others into trying to get rid of HUAC, the House Un-American Activities Committee, and I remember that the first big effort we made was in 1965, and we got 24 votes.

□ 1850

The year before that I think we had six votes. It did not bother them a bit, those of us who voted against their HUAC's appropriation, who had to go home and face another election. But we found out that we could survive, and survived to this day.

To the former chairman, Father Bob Drinan, a great Jesuit priest and national chairman of ADA, he and I were the ones in 1973 who put the nail in the coffin of HUAC by making a motion to send its jurisdiction to the Committee on the Judiciary, where it has rested ever since, I am sure very uneasily, in my subcommittee.

As I said, the Vietnam war as it escalated cast a shadow on the Great Society programs that meant so much to our country. We had a new era of red baiting and fear of communism. J. Edgar Hoover went on the air and said that any protester, college protester, should not be allowed to stay in college and was a dupe of the Communists.

We had the old ploy of people wanting to make it a felony to burn their draft card, so it became quite a thing, of course, for American young people to burn their draft cards.

They wanted to pass a bill to kick protesters out of college. Of course, that failed. Then there was a strong movement to make it a felony to burn the American flag, which, of course, failed because it was a violation of the first amendment of the U.S. Constitution.

But the war kept getting bigger and bigger. In 1965 it went from 20,000 to 40,000. Then the chairman of the Committee on Armed Services at that time, a gentleman from a very deep Southern State, called for bombing China. That created quite a sensation, because he said China and Vietnam were both Communist; therefore, they were friends; therefore, they should be bombed. That was the kind of mania we had in those days. ADA was fighting very hard against that sort of thing.

Finally, in 1967 the troops in Vietnam got up to 625,000 and Gene McCarthy came along and rode his horse into the arena to run for President. ADA backed him 100 percent. Leon Shull steered us in the right direction, and ADA endorsed Gene McCarthy, and we had a great time.

These were turbulent times. ADA was right in the midst of all of them, and

Leon Shull was our executive director and one of our leaders. Joe Rauh and Leon were really a pair, and I feel very lucky to have known them both. I feel lucky to have known to this day as a dear friend Leon Shull. So I just think it is very suitable that we are here tonight to honor him on his 80th birthday. I cannot believe he is 80. He will always seem 35 to me.

Mr. Speaker, I now yield back to the gentlewoman from Hawaii [Mrs. MINK], and thank her very much for allowing me this time.

Mrs. MINK. Mr. Speaker, I thank the gentleman for reminding us about those turbulent years. I recall coming to the House in 1965 and you put us to the task very early, I believe it was my first day coming to the floor here, having to vote on a resolution on the House Un-American Activities Committee. So I fully recall those days. Certainly without the advice and direction and wisdom and philosophy and expression of principle that we got from Leon Shull, many of us would have floundered in those very, very difficult days. So I credit my survival in this institution, and really my return, to the lessons I learned from this great individual. So I am very proud to call on a very dear friend and someone who should be remembered by all the generations that he has affected.

It is my pleasure now to yield to the distinguished deputy majority whip, the Honorable JOHN LEWIS, who has served this body with great distinction. One of the ways in which he has helped us, not merely here on the floor and in the complicated business of legislating, is by serving as president of the Americans for Democratic Action. So I am really honored to have the gentleman here joining us tonight.

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to pay tribute to a great American, Leon Shull. I want to take a moment to honor this man—a man to whom I and countless numbers of others are greatly indebted. For more than 50 years, Leon Shull has been in the forefront of the struggle for civil and human rights in America. Leon Shull personifies the very best in the American tradition. He has dedicated his life to fighting for social justice and equal rights.

Shull's efforts as an activist has helped to empower hundreds of thousands of people. The accomplishments of Leon Shull are many. His leadership is unequalled. His devotion to human and civil rights is complete.

I have known of this man for more than 30 years. He is a good and decent man. He is a leader in the truest sense of the word. He is a crusader for social justice.

For 20 years, he was the national director of Americans for Democratic Action. As national director of ADA, Shull presided over the organization's greatest periods of growth and influence. Under Shull's leadership, ADA

spearheaded numerous initiatives, including full employment legislation, opposition to the Vietnam war, campaign finance reform, and numerous other issues.

In the 1940's and 1950's, Shull led efforts in Philadelphia and southeastern Pennsylvania to ensure fair treatment of minority and women workers. He fought and helped defeat political corruption in the State of Pennsylvania during those years.

Leon Shull was able to organize the unorganized. He gave many hope in a time of hopelessness. His work and his cause enhanced the dignity of humanity everywhere.

Leon Shull is persistent and consistent. He has had a vision of a new America, a better America. He had had a dream of what America could become. He has kept his eyes on the prize.

Men and women such as Leon Shull, Dr. Martin Luther King, Jr., A. Phillip Randolph, Hubert Humphrey, Thurgood Marshall, Fannie Lou Hamer, Robert Kennedy, and Walter Reuther have inspired me and thousands of others with their leadership and dedication. These men and women brought us through one of the most difficult times in modern American history, the civil rights movement of the 1950's and 1960's.

I came of age during the civil rights movement. It was a period in which I found my own courage to try and make a difference in this society. I was inspired by individuals such as Shull. I drew strength from his examples of leadership, commitment, and dedication.

Tonight, Mr. Speaker, we salute and pay tribute to a great American—Leon Shull.

Mrs. MINK. I thank you very much, our leader, for those inspiring words. I know that Leon deserves every bit of your comments, and I know that he will appreciate it very, very much. I am grateful that you were here tonight to share those words.

□ 1900

I think the fact that you are the head of the organization and are leading the troops at this critical time is also a tribute to the kind of path and channels that Leon Shull created for us. To make it possible for such leading Members in the Congress of the United States to serve in the capacity as president of ADA is largely a tribute to Leon Shull. There are many others who served as national president in addition to our colleague here, the gentleman from Georgia [Mr. LEWIS]. The gentleman from California, DON EDWARDS, as I said earlier; Don Fraser, who was before my time, currently, I believe, still mayor of the Twin Cities in Minneapolis. We have our deceased member, our late colleague Ted Weiss, who also served as president of ADA, and many, many others.

I was just speaking to my colleague here from Massachusetts, and he re-

minded me of the service of Father Drinan in this body, who preceded him here, and Father Drinan also served as president of ADA.

Mr. Speaker, at this time I yield to my colleague, the gentleman from Massachusetts, BARNEY FRANK. To have him participate in this special order is a point of high privilege.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentlewoman from Hawaii for organizing this and giving us the chance to do this. I want to use a phrase that we often use in a negative context in what seems to me an appropriate, positive context. For many of us this is payback time. It is payback time to a man, Leon Shull, who has been as selfless and as dedicated and as committed to a logical and consistent conception of the public good as anyone I know.

The great role that Leon Shull has played during the time that I have been here and before, throughout a very active and productive life, but he continues to be, at the age of 80, a dedicated activist, the important contribution he makes is to show people how to be a very levelheaded fanatic.

We, too often in our society, oppose two different versions of political activity, one a kind of cool, almost manipulative approach, misnamed pragmatic, in which you are known for your skills at accomplishing things, your ability to read a situation and propose strategies and tactics that will carry out a goal. On the other hand, we talk about people who burn with a zeal to change things, to accomplish things. And they are the ones we call idealistic. And strangely, we often juxtapose idealism and pragmatism as if they were somehow logically contradictory.

In fact, they are, sadly, often in fact contradictory. People who care very deeply, very passionately about a set of issues often do not take the time and the trouble and show the discipline to think about how best to get those issues accomplished.

Leon Shull, in his career, demonstrates that this is a false juxtaposition, and he makes it clear, in fact, that those who are the most pragmatic, those who have the levelheaded, those who are willing to do the hard work of studying political situations, understanding the forces at work and devising strategies to try and change those forces are, in fact, the supreme idealists. They are the ones who carry the ideals into action.

Leon Shull's career simply belies the argument that being knowledgeable about and skillful at political realities somehow makes you less than pure in your idealism. He has been both. He has had a career. Given Leon Shull's talents, his ability, he could have made a lot more money than he ever made, by orders of magnitude, probably, more than he has made. But because he had a commitment to a world in which so-

cial justice and fairness and compassion reigned true, because he was revolted by racial discrimination and sex discrimination, discrimination based on sexual orientation, discrimination against people on any irrelevant grounds, because he did not think children ought to be born poor and stay poor and not be given opportunities, because he cared about peace in the world, for all of those reasons he eschewed careers that could have been for him much more profitable and, instead, has been a dedicated and skillful and determined activist.

And he has done it with skill and with success. And precisely because of his willingness to become as skillful a political strategist as I have had the pleasure of working with, he, therefore, can claim more achievements on behalf of poor people, people discriminated against, peace in the world, than many, many, many others.

Personally for me, he was, when I first came to Congress, one of the people who helped me understand what the reality was and how best to take the issues that I cared about, because I shared the values that he has so well exemplified, and how to translate them through an effective assault on the reality that we felt needed changing.

If is not surprising that so many of us who have served here in the House have joined Leon Shull in ADA, because we found in him a perfect ally in our fights.

I said before that at the age of 80, he continues to be an activist. Last week I had a meeting. It was a meeting in which we were trying to embody the principle of majority rule. The principle of majority rule, we believe, is present everywhere in American Government. But in fact, it is not. There is one place in American Government where majority rule is not followed. But I cannot mention it, because of the rules of the House.

However, we had a meeting to talk about implementing majority rule in that unmentionable place. And Leon Shull was one of the first we asked to come and join us, as we strategized about how to call to the attention of the public the absence of democracy somewhere in this city where people think it ought to be there.

Leon Shull understands how that absence of democracy somewhere in this city retards our ability to carry out the basic progressive principles. And as Leon Shull has helped others destroy stereotypes from which they have suffered, stereotypes about people based on their race or their sex or their physical conditions, now at the age of 80 he is helping to destroy another very disabling stereotype, one that says that as you reach a certain age you are no longer able to be useful.

He continues to be a vibrant contributor to the coalition of people who are determined to bring social justice to

America and who understand that bringing social justice to America in no way contradicts our goal of increasing the prosperity of the country as a whole but, in fact, complements it.

I am delighted to be able to pay tribute to Leon Shull, and I am grateful to our colleague from Hawaii for giving us a chance to do so.

Mrs. MINK. Mr. Speaker, I thank our colleague for pointing out the fact that while we pay tribute to Leon tonight, on the occasion of his 80th birthday, this individual is still very vigorous and very much involved in many of the issues that we confront every day on the Hill. And as we discuss important subjects like filibuster and how to organize the Congress and how to prioritize our issues and what strategies to engage in, we always find that Leon Shull has been called upon to give us advice.

I am very pleased now to yield to my colleague, the gentleman from Hawaii [Mr. ABERCROMBIE], who is here. He and I came together in my second round to Congress. I appreciate very much his taking time to join us in this special order.

Mr. Speaker, I yield to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Speaker, next month will see the 80th birthday of one of the most distinguished Americans of our time. Leon Shull, who served for two decades as national director of the Americans for Democratic Action, has earned a place among the great men and women who have shaped this Nation.

Leon Shull sought—and still seeks—nothing less than honoring the promise of the American dream. A steadfast liberal when liberalism was in fashion and out of fashion, he has never wavered in his principles. One of the undying themes of American history is the struggle to extend the rights of full citizenship envisioned by the authors of Declaration of Independence and the Constitution.

Leon Shull has been at the forefront of that fight for close to half a century. He was an early—some would say “premature”—advocate for racial equality and human rights. He understood that change requires engagement in public life. That understanding led Leon Shull to become deeply involved in the campaigns of candidates for every level of public office: municipal, State and Federal. In 1952 he was director of volunteers for Adlai Stevenson. In 1960 he was director of John F. Kennedy's campaign in southeastern Pennsylvania.

But, more than his work for any particular candidate, we honor Leon Shull for his work as national director of Americans for Democratic Action from 1964 to 1984. These decades encompassed some of the momentous years of American history. They saw the emergence of the civil rights movement and the first concerted Federal programs

designed to fight poverty. They also saw the tragedy of Vietnam. Through all of these developments, Leon Shull continued to articulate the commitment of millions of Americans who have remained steadfast in their commitment to equality and justice.

Today, Leon Shull is retired. But one uses that word advisedly when speaking of this remarkable man. He continues to speak out, to organize, to advise, to help guide the course of American liberalism. Happy birthday, Leon, and may we have the benefit of your counsel and encouragement for many years to come.

□ 1910

Mrs. MINK. Mr. Speaker, I thank my colleague, the gentleman from Hawaii, very much. I appreciate those words very, very much.

To wind up our tribute tonight to Leon, I would like to call on a colleague who has more than his own individual experiences to relate to us, but he advised me that his father was very much involved in ADA and has very, very intimate stories to tell about Leon Shull. It is my privilege now to yield to our distinguished colleague, the gentleman from California, BOB FILNER.

Mr. FILNER. Mr. Speaker, I thank the gentlewoman from Hawaii. We are so appreciative of her efforts to allow us to pay tribute to Leon Shull on his 80th birthday.

Most of us have been influenced by Leon, Mr. Speaker, because of his 20 years as national director of ADA, the Americans for Democratic Action, which he presided over for those years, which saw unprecedented growth and unmatched influence for the Nation's oldest and largest political action and lobbying organization devoted to progressive ideals. He was a pivotal figure, as the Members have heard from our previous speakers, in all the major issues of the last 30 years.

Just reading off those events and causes that he so influenced can tire one out: nuclear arms control, the fights against Carswell and Hainsworth in the Supreme Court, the creation of ADA PAC's to support the campaigns of Progressives running for Congress, campaign finance reform, the reform of political parties, civil rights, human rights, at home and abroad, the Impeach Nixon campaign, post-Watergate reform efforts, youth empowerment, realigning the Federal budget priorities, tax reform, full employment, opposition to the war in Vietnam, passage of the Humphrey-Hawkins Full Employment Act, on and on. These are the issues on which Leon gave guidance, support, and victory, many times.

As the gentlewoman from Hawaii [Mrs. MINK] mentioned, my father was involved over a long period of time with the ADA National Board. I knew

long before I met Leon that he was and is the font of all knowledge when it comes to progressive issues, past, present, and future.

I first met him when I came to Washington nearly 20 years ago, when I was a legislative assistant to Senator Hubert Humphrey and Congressman Don Fraser, both long-time members and leaders of ADA. Leon educated me, as he had so many others, in the art of a practical politics, but as the gentleman from Massachusetts [Mr. FRANK] said, a practical politics defined by a true commitment to progressive ideals.

He schooled me and others in this vision in meetings and conferences, and in enormously stimulating dinner parties hosted by he and his partner in life, Anne Shull. I went back to San Diego, and as elected members of the San Diego Board of Education and the city council, I could always call on Leon to help put a national perspective on the issues we were dealing with locally, whether they were education reform, defense spending, economic conversion, you name it.

When I returned to Congress as a freshman Member, he was still there, as he is for all those who might call, to help prepare us for the battles in this arena, to show us a road map of Capitol Hill and the pitfalls and opportunities that a Member of Congress may face.

Like everyone, I sometimes disagree with Leon, but I know I can always get an honest and incisive assessment of the issue involved. Leon and Anne, we love you, we thank you for your years of activism, your years of mentorship, your years of commitment to a world of peace and economic and social justice.

I thank the gentlewoman from Hawaii [Mrs. MINK] for allowing all of us to share our debt and our country's debt to Leon Shull.

Mrs. MINK. Mr. Speaker, I thank the gentleman for his contribution. There were many other Members who would have wished to be able to join us tonight. One of them is our colleague, the gentleman from New York [Mr. RANGEL], who was here earlier but had to leave. He also served as president of the Americans for Democratic Action.

Mr. Speaker, to sum up our feelings about Leon, I think it would be accurate to say that this individual was a remarkable person who was able to combine not only a wit and sense of humor but an enormous, incredible ability of trying to synthesize some very complicated issues and being able to, in a few words, command the attention of the people to whom the words were being directed; namely, Members of Congress, people who were in the policy arena.

□ 1920

And he had this marvelous talent of being able to provoke your intellect and your conscience to do the right

thing. And I think that his contributions have to be acclaimed, and his skill and his ability as a person who could come to the Hill, describe the content of legislation and the enormous need for this legislation in order to help the people of this country.

No matter what the issue, whether it was the environment, or consumers, or people who were ill, or in need of housing, or food, or the hungry, or whether it was a civil rights issue, or war and peace, or whatever the matter at hand, a defense appropriation for moneys he felt were being wasted on unneeded projects where the funds could be used in other areas, he was a champion of the social and economic needs of this country. And he spent his lifetime arguing and debating and formulating these issues so that we, in arenas like this in the Congress, could better focus our energies and accomplish these things in the name of what is good for our country.

Not very often do you find a national organization that almost is parallel to our political parties like the Democratic Party or the Republican Party. The ADA had its own platform. It had people coming to the Hill to lobby on legislation. It had its own convention in which it endorsed nominees that ran for office both at the national level and sometimes at the local level for governor. It set about mobilizing a grassroots organization because that is where the strength of ADA lay, and as national director for 20 years, Leon Shull presided over all of these very, very extensive and important activities. He was out there mobilizing the grassroots at the country level and the State level, moving across the country, talking about issues of importance and why people ought to care.

That is not to say that there were not other important organizations, ones committed to the environment, some to social issues, civil rights, the housing alliance or women's groups, the labor unions, each one targeting a narrow portion of our national agenda and working vigorously in that area. But for Leon Shull, he took the whole panorama of issues that faced our country, and like the political parties, like the Democrats and the Republicans, fashioned a platform and a form of action to try to accomplish these things in a global and total sense. And he was a master. He devoted his total energies and expertise in organizing and in confronting people who were going to make decisions to make the right decisions.

He served at a critical time. I happened to be here in the Congress during the Vietnam war and during the matters in which we debated the poverty program, and the housing agenda, and the concepts of nondiscrimination in jobs, and the need for full employment, and all of these things that were debated at that time. It is not to say that

they are not central issues today, but the character of the debate has changed somewhat, largely due to the pioneer work of Leon Shull and those who followed in his footsteps who placed the proper agenda and emphasis of this country, and for all of the people who believe in what can be done about these issues. And Leon was a master at doing that.

So I am very proud to have had the opportunity to serve not only in the Congress with him, giving us direction and leadership, but also after I left the Congress to serve as national president of ADA for three terms while he was the national director.

Since he retired in 1984 he has gone on to assume numerous other responsibilities. He has not been in retirement. He simply left the presidency of ADA. He went on to serve as executive director of Citizens for a Just Minimum Wage. Minimum wage is very much an issue that this Congress has to deal with if we are really going to move our country forward and provide people with quality employment. I mean how can we talk about people working a full 40-hour week and still being in poverty based on our national standard? So there he is working mightily as a member of that committee.

He also went on to serve as executive director of Citizens for Workplace fairness. This has to do with the striker replacement bill. So he is very much in the forefront as an activist and a strategist in order to get that legislation through the Congress.

He served as legislative director of the Full Employment Action Council, because again, as in the early part of his career, he is back to concentrate on the importance of full employment in America. Whether we talk about NAFTA or any of the other issues that provoke this Congress, and which require our action, fundamentally it all comes down to jobs. Whether we are debating an item in a defense budget or social program, we are talking about what impacts it will have on the employment opportunities in this country.

He has returned to the ADA, and that is probably the most remarkable thing. He is our No. 1 volunteer. He is serving in our legislative department. He is giving guidance again to people who come and flock around him for inspiration. He has been a model individual in my life, and he has certainly affected the lives of many people here in Washington.

We pay tribute to Leon for his remarkable career. But alongside him, inseparably and almost joined together in this crusade to make America better has been his wife, Anne, who has worked side by side along with Leon on all of his adventures and all of his projects. And so we cannot really pay tribute to Leon without also recognizing

ing his wife, Anne. His two daughters, Jane and Susan, and son-in-law, Ed, and his granddaughter, Ruth, I know will be coming together shortly in the Capital City to join with Anne and Leon in celebrating his 80th birthday. And so along with my colleagues who were here tonight, and those who were not, I want to extend to Leon the happiest of 80th, and many many more to come. And we will continue to look to you, Leon, for your leadership, and for your challenge for a better America.

Mr. MINETA. Mr. Speaker, I would like to thank our good friend, the gentlewoman from Hawaii [Mrs. MINK], for requesting this time to pay tribute to Leon Shull, on this the occasion of his 80th birthday.

Known to many as Mr. Liberal, Leon Shull has been a driving force in American politics for over 50 years. Without his commitment to the principles of fairness and equality, some of the most important civil rights and employment laws in this Nation would never have been enacted.

The amazing thing about Leon's many achievements is that they came about as a result of grassroots political action that seemed to have little or no chance of winning from the outset.

From his work in reforming Pennsylvania politics in the 1940's, to his opposition to the Vietnam war, to his passionate commitment to progressive political action, Leon's activism springs, not from any quest for power or influence, but from his unshakable dedication to equality and justice.

It is this very integrity that has kept Leon as active in the political process at age 80, as when he first started in politics. While most of us would have long since stopped to smell the roses, Leon continues on as a full-time volunteer at ADA where he serves as the legislative and grass-roots coordinator for ADA's efforts to enact a single-payer health plan, bring about full employment, and realign our national budget priorities.

On top of all this, Leon continues to reach out to younger ADA staff and volunteers, teaching them about the power of grassroots political action and instilling in them a drive to continue the tradition of activism he started at ADA.

Leon's principled dedication and commitment are respected across the political spectrum, even among those who disagree with his positions on the issues. His activism represents the embodiment of the basic ideals of American Government: that a free people are capable of governing themselves and that, despite the cynicism of our times, one person can make a difference.

I'm proud to join my colleagues in wishing him a well-deserved Happy Birthday.

NORTH AMERICAN FREE-TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DREIER] is recognized for 60 minutes.

Mr. DREIER. Mr. Speaker, I have taken out this time this evening to

talk about the North American Free-Trade Agreement. We know that it is a package that is being strongly supported by President Clinton. It is being supported by all of the living former Presidents. This morning a letter was circulated from all 10 living former Secretaries of Commerce supporting the North American Free-Trade Agreement for a very simple and basic reasons. They have all come to the conclusion that the North American Free-Trade Agreement is in the best interest of the United States of America.

One of the things that has happened over the past several weeks and months is that the people have been led to believe that implementing the North American Free-Trade Agreement is somehow a sellout of U.S. interests. Mr. Speaker, actually nothing could be further from the truth. In fact, the opposite is the case when one looks at NAFTA.

I happen to believe that as we look at the challenge of the future, NAFTA is in our best interest. In fact, as we listen to people who regularly stand here on the floor of the Congress, we listen to people out there in the country debating on television and radio programs the North American Free-Trade Agreement, we regularly hear horror stories about Mexico, about the flow of United States jobs from the United States to Mexico.

□ 1930

We hear about problems that exist on the border, we hear about the problem of illegal immigration which certainly affects my State of California. Our taxpayers in my State have to shoulder a \$3 billion annual cost for illegal immigration. We hear about the wage situation that exists in Mexico, we hear about human rights violations in Mexico, we hear about a lack of political pluralism in Mexico. We hear all these things and one would conclude that every one of these problems is taking place. Why? Because of NAFTA? Well, Mr. Speaker, NAFTA does not exist. NAFTA is an agreement which will be struck among the three countries, Canada, the United States, and Mexico, and is proposed to go into effect January 1, 1994, and be phased in over a 15-year period. So as we listen to the horror stories of United States jobs going to Mexico, as we listen to the horror stories of environmental problems on the border, as we listen to the horror stories of human rights violations which have taken place in Mexico, as we listen to all these problems, illegal immigration and all, we have to realize that all these things have happened not because of NAFTA, because there is no NAFTA. I happen to believe that while every single one of these problems does exist, the best way for us to counter these is by implementing NAFTA.

So basically the conclusion that I have drawn is that the North American

Free-Trade Agreement is about the future and not the past.

What we need to do is realize that we have some very serious economic problems right here in the United States. I am privileged to be able to represent part of Los Angeles County here. The unemployment rate in Los Angeles County is between 9 and 10 percent; the unemployment rate statewide in California is right around 9 percent. I happen to believe that the North American Free-Trade Agreement is not just in the best interests of the State which I am privileged to represent here in the Congress, it is in the best interests of this country. Why? Because we desperately want to create job opportunities here in the United States all over the country. The best way for us to do that is to realize that finding new markets for U.S.-manufactured goods and services is the best way to do that.

How do we do that? By breaking down tariff barriers, and that is what NAFTA is all about.

You know, those who oppose the North American Free-Trade Agreement do not offer a job-creation strategy. Oh, yes, they say things with which I agree that we should reduce the capital gains tax rate here in the United States, to create a business friendly Government outlook here; but we have this great opportunity 3 weeks from tomorrow when on November 17 we cast our vote on the North American Free-Trade Agreement.

Frankly, if we pass this opportunity—and there are many who have predicted defeat of the North American Free-Trade Agreement—I think we have a great chance to narrowly win it. I have said many times that if this were a secret ballot it would probably win by 75 votes. Why? Because as I have talked to colleagues on both sides of the aisle, Democrats and Republicans, they say they know it is in the best interest of the United States of America to pass NAFTA. But they feel political pressure at home and for other reasons they do not think they can vote for it. In fact more than a few, Mr. Speaker, have said to me they hope it passes but they feel they do not want to vote in support of it.

So clearly we have to look at the consequences of a potential defeat of NAFTA.

Let me tell you basically what happens: There is no doubt whatsoever that someone will export products like cars, computers, medical equipment, telecommunications to Mexico. With NAFTA if we put it into place it will be the United States of America. We will be the ones manufacturing automobiles, telecommunications, medical equipment, computers, other things to send into Mexico. Without NAFTA it will just as likely be Japan and the European Community.

I have said many times, Mr. Speaker, that I am not one who likes to engage

in bashing Japan or the European Community, but I am the first to acknowledge that Japan and the European Community have benefited greatly since we played a role in rebuilding their economies, their societies in the postwar world. And what has happened is they would very much like to have the chance to get into the Mexican economy.

There are 88 million consumers in Mexico and if we defeat NAFTA they will have in Mexico little choice other than to look toward Japan, the Pacific rim, and the European Community for opportunities to trade. Why? Because the United States will have said to the neighbor, their neighbor with which they share a 2,000-mile border to the north, the United States will have said, "Forget it. We don't want to do this."

Now I have always said that as my friends talk about, "Not this NAFTA, we want to create another North American Free-Trade Agreement," I believe that is slightly disingenuous. Why? Because while this is a 2,000-page agreement and I do not like every aspect of it and I am supporting NAFTA in spite of, not because of the side agreements, I am convinced they do not jeopardize U.S. sovereignty as some have said; but as we look at this package, that is phased in over a 15-year period—and the reason it is so long is that the tariff structure is so great today that we need to work to bring it down—but as we look at those who say, "Not this NAFTA, we need to negotiate another NAFTA," I say: "Strike an agreement that will have the support of Ross Perot and Pat Buchanan, Jesse Jackson, Jerry Brown, Lyndon LaRouche, Ralph Nader. These people who came out and opposed NAFTA said there should be another NAFTA. The AFL-CIO, I am hard-pressed to believe that an agreement could be struck that would have all of the support of the AFL-CIO and Pat Buchanan and at the same time Jesse Jackson."

So the fact of the matter is while it is not perfect, and I realize, I am the first to admit there is going to be some job displacement—that is what happens with free markets, the free flow of goods and services. That is the way it works. I am convinced while this one is not perfect it clearly is far superior to the status quo and it does create an opportunity for the United States of America to have a tremendous, tremendous advantage over the Japanese and the European Community.

Let me explain why: First of all we look at the tariff structure that exists today. I would like to ask you, Mr. Speaker, to focus on these charts right here so that our colleagues, most of whom are not here but I realize they may be seeing this in some other spot, the tariff structure that exists today as a tariff that ranges between 10 and 20 percent for chemicals, United States-manufactured chemicals going into

Mexico. Where the United States tariff on chemicals from Mexico is between zero and 4 percent.

Under NAFTA for the United States and Canada that tariff will be completely eliminated. What we will see is we will see this tariff barrier of 10 to 20 percent maintained, not for the United States, Mr. Speaker, but for the Japanese and the European Community.

Look at pharmaceuticals: On an average a 15-percent Mexican tariff is charged on United States-manufactured goods going into Mexico. The average tariff that we impose on Mexican pharmaceuticals coming into the United States is only 3.5 percent. Under NAFTA that is totally eliminated, brought down to zero. But for the Japanese and the European Communities it is still a 15-percent average tariff barrier that wall will still be up giving the United States a greater advantage over our friends in Japan and the European Community.

In the textiles and apparels area, 14 to 20 percent on average, the Mexican tariff that is charged—a tax basically on United States textiles and apparel going into Mexico—6 percent is the average tariff that we have on Mexican textiles and apparel coming into the United States. This 14- to 20-percent average tariff remains for Japan and the European Community. But it comes down for the United States creating an opportunity for us to gain access to those 88 million consumers creating a chance for us to create jobs here in the United States and expand export opportunities for us.

So it seems to me we need to realize that NAFTA is clearly in the best interests of the United States.

Let us go further: Industrial machinery. On average a 10- to 17-percent Mexican tariff on United States-produced industrial machinery going into Mexico, zero to 2 percent is the United States tariff on Mexican-manufactured industrial machinery coming into the United States. What happens under NAFTA if NAFTA is implemented? both sides are brought down to zero. But remember Japanese and European Community manufacturers of industrial machinery will still face this 10- to 17-percent Mexican tariff.

Household appliances on average 17.1 percent is the Mexican tariff on United States-manufactured household appliances going into Mexico. Less than 1 percent, 0.8 percent is the average tariff charged on household appliances manufactured in Mexico coming into the United States. Under NAFTA a total elimination of these barriers but 17.1 percent average tariff will be maintained for the Japanese and the European Community.

Steelmill products: On average 10- to 15-percent Mexican tariff on steelmill products coming from the United States into Mexico; 4 percent is our average tariff charged for Mexican-manu-

factured steelmill products coming into the United States. Under NAFTA totally eliminated. But the 10- to 15-percent Mexican tariff will be maintained for the Japanese producers and the European Community.

□ 1940

Flat glass: The average tariff is 20 percent on flat glass coming from the United States into Mexico. The tariff that the United States charges on Mexican-manufactured flat glass coming in is three-tenths of 1 percent, this tariff brought down to zero, totally eliminated except for the Japanese and the European community, that 20 percent tariff is maintained. So the United States creates a tremendous advantage over the Japanese and the European communities.

Bearings, 12 percent Mexican tariff, 7 percent the average United States tariff, goes down to zero under NAFTA. And what happens, maintained at 12 percent for the Japanese and the European community.

Machine tools: Thirteen percent average Mexican tariff that is charged on United States-manufactured machine tools going into Mexico, 2 percent is the average United States tariff on Mexican machine tools coming into the United States. Under NAFTA, it comes down to zero. Free trade, yet the 13 percent average is maintained for Japan and the European community.

Look at automobiles, which is the item that is often discussed here, and for the life of me, as my friend, the gentleman from Florida [Mr. SAM GIBBONS], chairman of the Trade Subcommittee says regularly, he cannot understand why auto manufacturers and the workers would not support NAFTA.

Why? The tariff that Mexico charges for United States-manufactured automobiles, a tax imposed on us to get our cars into Mexico is 20 percent.

The United States tariff charged for manufacture of automobiles in Mexico coming into the United States is only 2.2 percent. Under NAFTA, it comes down to zero.

Projections from the big three automakers are that we will see a 60 fold increase in the first year. Right now we export 1,000 automobiles from the United States into Mexico. Under NAFTA, the projections are that in the first year we will see an increase of 60,000 automobiles manufactured.

Why? Because of the dramatic production that takes place, and ultimately that tariff will be down to zero.

But Mr. Speaker, the 20 percent tariff right here that Mexico charges for automobiles coming in will be maintained for automobiles manufactured in Japan, for automobiles manufactured in Germany, for automobiles manufactured in Italy, or France, or other countries, but for the United States of America and Canada, under

the North American Free-Trade Agreement it will be zero, so we will have a tremendous opportunity, which is much greater than Japan or Germany to sell United States-manufactured automobiles to the 88 million consumers in Mexico.

Light trucks, again 20 percent tariff that Mexico charges. Right now for the United States to send light trucks into Mexico, our average again, our tariff is 2.2 percent that we impose on Mexican light trucks coming into the United States. Under NAFTA, it comes down to zero. Free trade, dramatic increase in our opportunity to export from the United States into Mexico, but the 20 percent tariff is maintained for Japan and the European Community.

Auto parts, 13.1 percent tariff is what the Mexicans charge for United States-manufactured auto parts going into Mexico; four-tenths of 1 percent, you can see here, is what is charged for Mexican-manufactured auto parts coming into the United States.

Under NAFTA, it comes down to zero, but for Japan and the European community, it remains at 13.1 percent for auto parts.

So with these figures, you can see very clearly, Mr. Speaker, that there is a tremendous benefit that is accrued to the United States worker which will enhance opportunities for us to have this grand strategy of creating jobs.

Let us look at computers. I have often pointed to this and said, as I will say again this evening, that computers is something that is of great concern in my State of California. We have a 10-percent figure here, but actually the tariff on computers manufactured in the United States going into Mexico goes up to 20 percent. It is 10 to 20 percent, and the United States tariff on Mexican-made computers coming into this country is between 3.7 and 3.9 percent, as you can see on this chart, Mr. Speaker.

Well, what happens is under NAFTA we bring that tariff down to zero, a great big zero, nada; but the tariff of 10 to 20 percent remains for Japan and the European community.

Now, the specific example that I have cited in the area of computers, Mr. Speaker, I would like to share again. As we talk to the people in the computer industry, the chief executive officer of IBM, the International Business Machines, has said that if NAFTA is defeated, IBM will have no choice other than to move operations to Mexico.

Why? Because it is the only way that they can gain access to those 88 million consumers in America; but if we put the North American Free-Trade Agreement in place, we can keep the jobs right here in the United States.

Why? Because under NAFTA the tariff will come down to zero, so that United States workers can continue to manufacture computer systems products, software, and export into Mexico tariff free under NAFTA.

So I would like to see IBM keep its jobs here in the United States, and with a zero tariff export into Mexico.

Now, if we pass NAFTA, remember that 10 to 20 percent tariff on computers which will be eliminated under NAFTA if we pass it will be maintained for computers coming from Japan and the Far East, other countries in the world, the European Community.

So what happens? The North American Free-Trade Agreement is a great boost for the United States of America, the U.S. worker, and it will clearly create more job opportunities for us here.

Computer chips, 10 percent, right now we have zero tariff, no tariff on computer chips from Mexico coming into the United States. They charge us 10 percent, that tariff, that 10 percent tax on the U.S. worker going in.

Under NAFTA, both will be eliminated. You can see there is obviously a humongous difference that exists today. We have no tariff and they have a 10 percent tariff. It goes down to zero.

Computer chips from the United States will go in. IBM, Tandy, other operations will not have to shift from the United States, and open up their manufacturing operations in Mexico.

But, and once again this 10 percent tariff that is there for computer chips is maintained for Japan, the European Community and other countries throughout the world.

In the area of electronics, 2.6 percent average tariff on electronics that they charge on our goods coming in, 2.4 percent on Mexican-manufactured electronics equipment coming into the United States. It will go down to zero. That 2.6 percent average will be maintained for Taiwan, Singapore, Hong Kong, Korea and Japan and other countries, which would desperately like to have access to the Mexican market. They would love to get to Mexico so that they could use it for a staging ground, an export platform, if you will, to send goods into the United States; but Mr. Speaker, I believe that we in this hemisphere should unite together, recognizing that the wave of the future is to reduce barriers.

Now, let us look at the export industry here in the United States. We found that on average workers here in the United States who manufacture items for export earn 17 percent more than workers here in the United States. The workers here in the United States are compensated for items that are simply for domestic consumption here in the United States.

So it is a 17-percent wage improvement for those people who are in the export industries.

We also know that contrary to the argument that we regularly hear that the poor Mexican people cannot afford to buy United States goods, the middle income wage earner in Mexico, there are 20 million of them, almost the entire population of Canada, and these

are the people who are desperately seeking the opportunity to purchase United States-manufactured goods and services.

So it seems to me, Mr. Speaker, that we need to do everything we possibly can to expand these opportunities for us to create jobs right here in the United States.

Now, as we look, I mentioned a few minutes ago the people who oppose the North American Free-Trade Agreement. It consists of, I mentioned all the defeated Presidential candidates, Ross Perot, Pat Buchanan, Jesse Jackson, Jerry Brown, Ralph Nader, Lyndon LaRouche, all these people have run for President of the United States and they strongly oppose the North American trade agreement.

Let us look for a moment at the people who support the North American Free-Trade Agreement. Last month, actually on September 1, all 12 of the living American Nobel Laureate economists joined with 264 other economists in sending a letter to President Clinton. In that letter, the likes of Paul Samuelson, Milton Friedman and others, Robert Solow and James Tobin, who have received the Nobel Laureate in Economics, strongly supported the North American Free-Trade Agreement.

□ 1950

In their letter, and I have got it here, it says, and I quote, "Specifically the assertions that the North American Free-Trade Agreement will spur an exodus of United States jobs to Mexico are without basis," and I think that the points that I have made with these charts, Mr. Speaker, point to that.

Now I should explain that. Let me say that, as we look at other support, I remember when we went to the White House and President Clinton had former President Ford, former President Bush, and former President Carter join in a ceremony with him. He stood up and he talked about his experiences as a Governor. He had told me on other occasions that, as a Governor, he knew of people that, under the present situation, had seen their jobs go to Mexico, and he said that as a former Governor he knows that every single person who lives in a Governor's mansion, of the 50 in this country, wakes up in the morning, and the first thing he or she thinks of is, how am I going to create jobs for the people in my State?

Mr. Speaker, people expect their Governors to create jobs for them in their States, and that is really their top priority, and, Mr. Speaker, 41 of the 50 Governors in this country, Democrats and Republicans, support the North American Free-Trade Agreement, and I think that as those who are out there here in Washington, Members of Congress, talking about how jobs are going to be lost, one cannot help but ask the question, Why is it

that 41 of 50 Governors, all of whom have as their top priority every morning when they wake up, creating jobs for their States, why is it that 41 of the 50 strongly support the North American Free-Trade Agreement?

The reason is very simply that they know that NAFTA is going to create jobs in their States, and I say to my colleagues, if you look at the past several years, exports for all but two States in the Union have increased from between 100 and 300 percent already, even with the tariff structure that exists, and that is how we have been able to go from what was a nearly \$6 billion trade deficit in 1986, to what we had last year, a \$5.4 billion trade surplus. The Mexican consumers were buying \$5.4 billion more in goods from us than we from them.

Now, Mr. Speaker, I know that opponents say that so many of these goods simply go down to Mexico, and then are manufactured, and then turn around and come back to the United States, but 83 percent of the items which go from the United States to Mexico stay in Mexico, and they are there for the Mexican consumer.

I mentioned the fact that all 10 of the living Commerce Secretaries who, here at the Federal level, have as their responsibility economic growth, creating jobs, spurring on the economy; all 10 living former Commerce Secretaries have today signed this letter which strongly supports NAFTA, Democrats and Republicans. So, as we look at this issue, it is clear that we need to do everything that we possibly can to expand these opportunities.

Mr. Speaker, Mexico is our third largest export market, and it is the 13th largest economy on the face of the Earth, and it is one of the fastest growing, and we need to realize that, while we have had slow economic growth in many parts of the United States, Mexico's economy is growing, and so are the economies of other countries in Latin America.

Mr. Speaker, the other countries in Latin America desperately want to see us pass the North American Free-Trade Agreement, and I believe that, if we try to stick our heads in the sand and simply say that the United States of America can stand alone, that we will actually be hurting ourselves more than anyone can imagine. There are some very dire predictions as to what might happen if we do not pass the North American Free-Trade Agreement, and the best one, I believe, is that which I was referring to with these charts.

We extend an invitation to Japan and the European Community to come to Mexico and utilize Mexico as an export platform to embark on free-trade agreements with other countries in South America. They ultimately want to join with us, and I think that, as we look at the cause of freedom and the

fact that during the past 15 years we have seen incredible advances in technology, we have seen incredible advances in our ability to communicate worldwide, the natural step is to work to reduce barriers to the free flow of goods and services.

Mr. Speaker, I say regularly that I do not believe that I, as a Member of the U.S. Congress, have a right to say to the people whom I represent in California, "You can't buy the best quality product at the lowest possible price." I think that we should be able to do that. I believe that we should do everything that we can to increase U.S. productivity. I am convinced that the American worker is by far the most productive.

Mr. Speaker, it was United States productivity that led General Motors and the United Auto Workers to make a decision to move a plant from Mexico back to Lansing, MI, creating a thousand jobs right here in the United States. Why? Because the United States auto worker is actually nine times more productive than the Mexican auto worker.

So, as we look at these issues which are of concern, I hope very much that our colleagues will do everything that they possibly can to look at the details and the facts on this.

I recognize that it is a tough political issue. Out in southern California, Mr. Speaker, I suppose I enhance their efforts by saying this, but there are more than a couple of people, many of whom are not actually constituents of mine, but know that I have been in strong support of reducing trade barriers, trying to increase export opportunities for the United States, but these people have gone out and picketed and protested almost daily in front of my office in Los Angeles, and I certainly welcome them. I mean, I know that some of the people in my office may not welcome them, but I support their first amendment rights, their right to free speech. They have a right to stand there and voice their opinions on this.

But I believe that, as we look at the facts on this, Mr. Speaker, that it is in the best interests of the United States to look toward the future and not the past, and that is what I am trying to do, and I hope that 3 weeks from tomorrow, on November 17, that a majority of our colleagues in the U.S. House of Representatives will join with a majority of our colleagues in the U.S. Senate and pass the North American Free-Trade Agreement.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BURTON of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. MCCANDLESS, for 60 minutes, on October 27.

Mr. MANZULLO, for 5 minutes, today.

Mr. GILLMOR, for 5 minutes, on October 27.

Mr. GOSS, for 5 minutes, on October 27.

Mr. WELDON, for 5 minutes, today.

Mr. DORNAN, for 60 minutes, today.

Mr. BILIRAKIS, for 5 minutes each day, on November 3 and 4.

Mr. BARTLETT of Maryland, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. MCCLOSKEY, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Miss COLLINS of Michigan, for 5 minutes, today.

Mr. MONTGOMERY, for 5 minutes, today.

Mr. UNDERWOOD, for 30 minutes, today.

Mr. FALEOMAVAEGA, for 60 minutes, today.

Mrs. MINK, for 60 minutes, on October 27.

Mr. STUPAK, for 10 minutes, on November 3.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. BURTON of Indiana) and to include extraneous matter:)

Mr. FISH.

Mr. GILMAN.

Mr. BAKER of California.

Mr. ALLARD.

Mr. LAZIO.

Mr. GRAMS.

Mr. SMITH of New Jersey.

Mr. SAXTON.

Mr. HOKE.

Mr. DORNAN in two instances.

Mr. GALLEGLY in three instances.

Mr. BURTON of Indiana.

Mr. CLINGER.

Mr. SOLOMON in three instances.

Mr. WALKER.

Mr. QUINN.

(The following Members (at the request of Ms. WOOLSEY) and to include extraneous matter:)

Ms. MEEK.

Mr. PETERSON of Florida.

Mr. BLACKWELL in three instances.

Mr. DIXON in three instances.

Mr. ACKERMAN.

Mr. LEHMAN in three instances.

Mr. CLAY.

Mr. STARK in five instances.

Mr. FOGLIETTA.

Mr. MONTGOMERY.

Mrs. MALONEY in two instances.

Mr. MINETA.

Mr. SWETT.

Mr. NEAL of Massachusetts.

Mr. BROOKS.

Ms. DELAURO.

Mrs. THURMAN.

Mr. MANN in two instances.

Mr. SLATTERY.

Mr. RANGEL.

Miss COLLINS of Michigan.

Mr. KREIDLER.

Mr. STENHOLM.

Mr. RICHARDSON.

Mr. MARTINEZ.

(The following Members (at the request of Mr. DREIER) and to include extraneous matter:)

Mr. LEWIS of Georgia.

Mr. SCHUMER.

Mr. PORTER.

Mr. TOWNS.

Mr. MAZZOLI.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 328. An act to direct the Secretary of Agriculture to convey certain lands to the town of Taos, NM.

H.R. 2491. An act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1994, and for other purposes.

H.R. 2519. An act making appropriations for the Department of Commerce, Justice, and State, and judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

H.R. 2750. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

H.J. Res. 228. Joint resolution to approve the extension of nondiscriminatory treatment with respect to the products of Romania.

H.J. Res. 281. Joint resolution making further continuing appropriations for the fiscal year 1994, and for other purposes.

A BILL PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 2685. An act to amend title V, United States Code, to extend the Federal Physicians Comparability Allowance Act of 1978, and for other purposes.

ADJOURNMENT

Mr. DREIER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, October 27, 1993, at 12 noon.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2054. A letter from the Administrator, Energy Information Administration, transmitting the Energy Information Administration report "Emissions of Greenhouse Gases in the United States, 1985-1990," pursuant to section 1605(a) of the Energy Policy Act of 1992; to the Committee on Energy and Commerce.

2055. A letter from the Chairman, Federal Trade Commission, transmitting a report on the need for, and the desirability of, having a uniform national label on devices used to dispense automotive fuel to consumers, pursuant to Public Law 102-486, section 1503(c) (106 Stat. 2999); to the Committee on Energy and Commerce.

2056. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

2057. A letter from the Chairman, Federal Election Commission, transmitting proposed regulations governing "Best Efforts" to obtain and report contribution information, pursuant to 2 U.S.C. 438(d)(1); to the Committee on House Administration.

2058. A letter from the Comptroller of the Department of Defense, transmitting a report pursuant to sections 8007, 8006, and 9006 of the Department of Defense Appropriations Acts for fiscal year 1991, fiscal year 1992, and fiscal year 1993, respectively, and sections 1401, 1001, and 1001 of the Department of Defense Authorization Act for those same years; jointly, to the Committees on Appropriations and Armed Services.

2059. A letter from the Chairman, Competitiveness Policy Council, transmitting a report to the President and Congress entitled "Enhancing American Competitiveness: A Progress Report to the President and Congress," pursuant to Public Law 100-418, section 5204(b) (102 Stat. 1456; jointly, to the Committees on Education and Labor, Banking, Finance and Urban Affairs, Science, Space, and Technology, Energy and Commerce, and Ways and Means.

2060. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to designate defense acquisition pilot programs in accordance with the National Defense Authorization Act for fiscal year 1991, and for other purposes; jointly, to the Committees on Armed Services, Government Operations, Small Business, Ways and Means, Foreign Affairs, the Judiciary, Merchant Marine and Fisheries, Public Works and Transportation, and Energy and Commerce.

REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STUDDS: Committee on Merchant Marine and Fisheries. H.R. 1250. A bill to amend the coastwise trade laws to clarify their application to certain passenger vessels; with an amendment (Rept. 103-307). Referred to the Committee of Whole House on the State of the Union.

Mr. DERRICK: Committee on Rules. House Resolution 283. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2492) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-308). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROOKS (for himself and Mr. SCHUMER):

H.R. 3350. A bill to establish a program of residential substance abuse treatment within Federal prisons; to the Committee on the Judiciary.

H.R. 3351. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants for the purpose of developing alternative methods of punishment for young offenders to traditional forms of incarceration and probation; to the Committee on the Judiciary.

By Mr. GIBBONS (for himself, Mr. MATSUI, Mr. ANDREWS of Texas, Mr. KOPETSKI, Mr. JEFFERSON, Mr. RICHARDSON, Mr. COLEMAN Mr. CHAPMAN, and Mr. BAESLER):

H.R. 3352. A bill to establish a transitional program of adjustment assistance to workers adversely affected by the implementation of the North American Free-Trade Agreement, and for other purposes; to the Committee on Ways and Means.

By Mr. BROOKS (for himself and Mr. SCHUMER):

H.R. 3353. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to develop more effective programs to reduce juvenile gang participation and juvenile drug trafficking; to the Committee on the Judiciary.

H.R. 3354. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants for the purpose of developing and implementing residential substance abuse treatment programs within State's correctional facilities, as well as within local correctional facilities in which inmates are incarcerated for a period of time sufficient to permit substance abuse treatment; to the Committee on the Judiciary.

H.R. 3355. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety; to the Committee on the Judiciary.

By Mr. HAYES:

H.R. 3356. A bill to designate the U.S. courthouse under construction at 611 Broad Street, in Lake Charles, LA, as the "Edwin Ford Hunter, Jr., United States Courthouse"; to the Committee on Public Works and Transportation.

By Mr. GOSS:

H.R. 3357. A bill to prohibit travel by Members, officers, and employees of the House of Representatives at lobbyist expense; to the Committee on House Administration.

By Mr. HOBSON:

H.R. 3358. A bill to suspend until January 1, 1999, the duty on straining cloth of

nonwoven, needletacked web composed of fibers made from polypropylene electret charged, fibrillated film, with or without scrim, such scrim being composed of spun bond fibers of polypropylene; to the Committee on Ways and Means.

By Mr. HOKE (for himself and Mr. DERRICK):

H.R. 3359. A bill to amend the Federal Deposit Insurance Act to establish a lifetime limit of \$100,000 on the amount of deposit insurance any person may obtain; to the Committee on Banking, Finance and Urban Affairs.

By Mr. LIPINSKI (for himself, Mr. TAUZIN, Mr. MANTON, Mr. STUPAK, and Mr. LAFALCE):

H.R. 3360. A bill to direct the Secretary of Transportation to demonstrate on vessels ballast water management technologies and practices, including vessel modification and design, that will prevent aquatic nonindigenous species from being introduced and spread in U.S. waters; to the Committee on Merchant Marine and Fisheries.

By Mr. MACHTLEY:

H.R. 3361. A bill to provide revenues for the revitalization of the U.S. merchant marine by increasing the excise tax on the transportation of passengers by water for vessels having a capacity of at least 150 passengers, and for other purposes; to the Committee on Ways and Means.

By Mr. MAZZOLI:

H.R. 3362. A bill to amend the Immigration and Nationality Act to strengthen sanctions relating to employment of unauthorized aliens; to the Committee on the Judiciary.

By Mr. MAZZOLI (for himself, Mr. SCHUMER, and Mr. MCCOLLUM):

H.R. 3363. A bill to amend the Immigration and Nationality Act to improve immigration enforcement and antismuggling activities, to reform the asylum law, and to authorize appropriations for the Immigration and Naturalization Service; to the Committee on the Judiciary.

By Mrs. MEEK:

H.R. 3364. A bill to provide for adjustment of immigration status for certain Haitian children; to the Committee on the Judiciary.

By Mr. MORAN (for himself, Mr. FRANK of Massachusetts, Ms. PELOSI, Mr. TOWNS, Mr. SCOTT, Ms. BYRNE, and Mrs. MORELLA):

H.R. 3365. A bill to amend title 18, United States Code, to protect the personal privacy and safety of licensed drivers, taking into account the legitimate needs of government and business; to the Committee on the Judiciary.

By Mr. ORTON (for himself, and Mrs. SCHROEDER):

H.R. 3366. A bill to amend title 18, United States Code, to provide penalties for child endangerment and abuse in the special maritime and territorial jurisdiction of the United States; to the Committee on the Judiciary.

By Mr. OXLEY (for himself and Mr. MICHEL):

H.R. 3367. A bill to provide restitution to crime victims; to the Committee on the Judiciary.

By Mr. PETERSON of Florida:

H.R. 3368. A bill to provide that each State may furnish one additional Statute for placement in National Statuary Hall in the Capitol, and for other purposes, to the Committee on House Administration.

By Mr. RANGEL:

H.R. 3369. A bill to amend the Internal Revenue Code of 1986 to exempt certain Small Business Administration financing from the

provisions of section 514 of such code; to the Committee on Ways and Means.

By Mr. SANDERS:

H.R. 3370. A bill to amend the Agricultural Act of 1949 to provide for the establishment of a multiple-tier price support program for milk to achieve a closer correlation between annual milk production and consumption while assuring sufficient low-cost dairy products for nutrition assistance programs; to the Committee on Agriculture.

By Mr. SWETT:

H.R. 3371. A bill to authorize Federal departments and agencies to sell energy from cogeneration facilities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. UNDERWOOD (for himself, Mr. ABERCROMBIE, Mr. DE LUGO, Mr. EDWARDS of California, Mr. FALEOMAVAEGA, Mr. FROST, Mr. GALLEGLY, Ms. NORTON, Mr. KING, Mr. LIPINSKI, Mrs. MEEK, Mrs. MINK, Mr. MURPHY, and Mr. SERRANO):

H.R. 3372. A bill to provide for the minting of coins in commemoration of the 50th anniversary of the liberation of Guam and the Northern Mariana Islands, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. ZIMMER (for himself, Mr. SAXTON, and Mrs. JOHNSON of Connecticut):

H.R. 3373. A bill to amend the Internal Revenue Code of 1986 to allow a credit against the estate tax for certain transfers of real property for conservation purposes; to the Committee on Ways and Means.

H.R. 3374. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of certain bargain sales; to the Committee on Ways and Means.

By Mr. GILLMOR:

H.J. Res. 282. Joint resolution proposing an amendment to the Constitution of the United States regarding federally mandated expenditures; to the Committee on the Judiciary.

By Mr. BLACKWELL:

H. Res. 284. Resolution expressing the sense of the House of Representatives that the Third College at the University of California at San Diego should be renamed the "Thurgood Marshall College" in honor of Justice Thurgood Marshall; to the Committee on Education and Labor.

By Ms. WOOLSEY:

H. Res. 285. Resolution expressing the sense of the House of Representatives that the Attorney General and the Director of the Federal Bureau of Investigation should cooperate with the U.S. Postal Service and the Polly Klaas Search Center to disseminate information regarding the kidnapping of Polly Klaas; jointly, to the Committee on the Judiciary and Post Office and Civil Service.

MEMORIALS

Under clause 4 of rule XXII,

263. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to having Congress take appropriate measures to have the National Railroad Passenger Corporation rescind the recently announced service reduction within the Keystone Corridor; to the Committee on Energy and Commerce.

ADDITIONAL SPONSORS.

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mr. GILCREST.
H.R. 140: Mr. GUNDERSON and Mr. ROTH.
H.R. 323: Mr. INGLIS of South Carolina, Mr. GREENWOOD, Mr. MCKEON, and Mr. TALENT.
H.R. 417: Mr. MANZULLO, Mr. FAWELL, Mr. GOODLATTE, and Mr. COX.
H.R. 419: Ms. BYRNE.
H.R. 455: Ms. FURSE and Ms. BROWN of Florida.
H.R. 467: Ms. SLAUGHTER, Mrs. LLOYD, and Mr. ENGEL.
H.R. 656: Mr. GIBBONS.
H.R. 688: Mr. GRAMS and Mr. JEFFERSON.
H.R. 760: Mr. FISH and Mr. SENSENBRENNER.
H.R. 769: Mr. SKEEN.
H.R. 830: Mr. PRICE of North Carolina, Mr. INSLEE, Ms. SLAUGHTER, and Mr. TAYLOR of Mississippi.
H.R. 886: Mr. EWING, Mr. CASTLE, Mr. DEAL, and Mr. MCDADE.
H.R. 894: Mr. SOLOMON.
H.R. 911: Mr. VISCLOSKEY.
H.R. 935: Mr. DELLUMS.
H.R. 972: Mr. KOPETSKI and Mr. ENGEL.
H.R. 1082: Mr. MINETA.
H.R. 1295: Mr. FRANKS of New Jersey, Mr. TEJEDA, Ms. FURSE, Mr. LAZIO, and Mr. WILLIAMS.
H.R. 1332: Ms. SLAUGHTER.
H.R. 1355: Mr. BATEMAN.
H.R. 1438: Mr. MCINNIS.
H.R. 1593: Mr. ZIMMER.
H.R. 1608: Mr. BROOKS, Mr. DURBIN, Mr. GIBBONS, Mr. STOKES, and Mr. WASHINGTON.
H.R. 1627: Mr. WOLF, Mr. SLATTERY, and Mr. BARLOW.
H.R. 1671: Mr. WYNN and Mr. DIAZ-BALART.
H.R. 1709: Mr. MCKEON, Mr. FIELDS of Texas, Mrs. MALONEY, Ms. ENGLISH of Arizona, Mr. SANTORUM, Mr. COOPER, Ms. HARMAN, Mr. STENHOLM, Mr. GALLEGLY, and Mr. HUNTER.
H.R. 1718: Ms. MCKINNEY.
H.R. 1738: Mr. MILLER of Florida.
H.R. 1787: Mr. GORDON.
H.R. 1796: Mr. EVANS, Mr. ANDREWS of Maine, Mr. GENE GREEN of Texas, Mr. ENGLISH of Oklahoma, Mr. REGULA, Mr. TEJEDA, Mr. GUTIERREZ, Mr. SANTORUM, Mr. MOAKLEY, Mr. WYDEN, and Mr. RIDGE.
H.R. 1801: Mr. GENE GREEN of Texas.
H.R. 1814: Mr. BISHOP and Mr. MACHTLEY.
H.R. 1933: Mr. MANTON.
H.R. 1985: Mr. YATES, Mr. PICKETT, and Mr. JOHNSON of South Dakota.
H.R. 2033: Mr. MCMALE.
H.R. 2042: Mr. UPTON, Mr. HOEKSTRA, Mr. WOLF, Mr. STUMP, and Mr. LEWIS of Florida.
H.R. 2092: Mr. SISISKY, Mr. KOPETSKI, Mr. FISH, Mr. GUTIERREZ, and Mr. DELLUMS.
H.R. 2171: Mr. RAMSTAD and Mr. KOPETSKI.
H.R. 2292: Mr. BROWN of Ohio, Mr. MACHTLEY, and Mrs. FOWLER.
H.R. 2307: Mr. MCCREERY.
H.R. 2375: Mr. BACCHUS of Florida, Mr. HOCHBRUECKNER, Mrs. MALONEY, Mr. BOUCHER, Ms. PELOSI, Ms. SNOWE, and Mr. LIPINSKI.
H.R. 2414: Ms. WOOLSEY.
H.R. 2438: Mr. VISCLOSKEY.
H.R. 2462: Mr. JACOBS.
H.R. 2602: Mr. JOHNSON of South Dakota and Mr. GRAMS.
H.R. 2612: Mr. MINETA.
H.R. 2706: Mr. BARCA of Wisconsin, Mr. HUGHES, Mr. RANGEL, Mrs. MEEK, Mr. BOUCHER, Mrs. MALONEY, Mr. FINGERHUT, and Mr. KENNEDY.
H.R. 2712: Mr. BLACKWELL and Mr. BREWSTER.
H.R. 2720: Mr. WYNN, Mr. KINGSTON, Mr. BISHOP, Mr. BUYER, Mr. BEREUTER, and Mrs. ROUKEMA.
H.R. 2722: Mr. REYNOLDS, Mr. KILDEE, Mr. McDERMOTT, Mr. GILLMOR, Mr. ENGEL, Mr.

CUNNINGHAM, Mr. PALLONE, Mr. TORKILDSEN, Mrs. ROUKEMA, Ms. SLAUGHTER, Mr. FRANK of Massachusetts, Mr. HOEKSTRA, Mr. ANDREWS of New Jersey, and Mr. RAMSTAD.
H.R. 2787: Mr. HINCHEY.
H.R. 2834: Ms. BYRNE, Mr. JOHNSON of South Dakota, Mr. BARCA of Wisconsin, and Mr. MEEHAN.
H.R. 2864: Mr. ROMERO-BARCELO, Mr. REED, Mr. MYERS of Indiana, and Mr. MEEHAN.
H.R. 2867: Mrs. SCHROEDER, Mr. JEFFERSON, Mr. THOMPSON, Mrs. MEEK, Mr. BERMAN, Mr. HILLIARD, Mr. DEUTSCH, Mr. FRANK of Massachusetts, Mr. JOHNSTON of Florida, Mr. EVANS, and Mr. WATT.
H.R. 2872: Mr. PAXON, Mr. HOUGHTON, Mr. BOUCHER, Mr. THOMAS of Wyoming, and Mr. BACHUS of Alabama.
H.R. 2884: Mr. EVANS.
H.R. 2916: Mr. FROST, Mr. SMITH of New Jersey, and Mr. MACHTLEY.
H.R. 2975: Mr. MCHUGH.
H.R. 2995: Mr. CONDIT and Mr. PRICE of North Carolina.
H.R. 2997: Mr. REED.
H.R. 3012: Mr. LEACH.
H.R. 3017: Mr. GIBBONS.
H.R. 3021: Mr. THOMAS of Wyoming and Mr. HUGHES.
H.R. 3030: Mr. TALENT.
H.R. 3031: Mr. MOORHEAD.
H.R. 3039: Mr. GUNDERSON, Mr. TALENT, and Mr. ROHRABACHER.
H.R. 3041: Mr. WILSON and Mr. LIPINSKI.
H.R. 3078: Mr. PARKER.
H.R. 3096: Mr. ABERCROMBIE.
H.R. 3098: Ms. ENGLISH of Arizona, Mr. SHAYS, Mr. KLUG, Mr. VISCLOSKEY, Mr. MANTON, Mr. HOUGHTON and Mr. MARKEY.
H.R. 3100: Mr. BEILSON, Mr. BERMAN, Mr. FILNER, Mr. FOGLIETTA, Mr. FRANK of Massachusetts, Mr. HUGHES, Mr. JEFFERSON, Mrs. MINK, and Mrs. UNSOELD.
H.R. 3109: Mr. HANSEN, Mr. KLUG, and Mr. KLECZKA.
H.R. 3122: Mr. EVERETT.
H.R. 3129: Mr. FRANK of Massachusetts.
H.R. 3146: Mr. ZELIFF.
H.R. 3182: Mr. BLACKWELL and Mr. DEUTSCH.
H.R. 3203: Mr. MACHTLEY, Mr. MCHUGH, Mr. NEAL of North Carolina, Mr. EDWARDS of California, and Mr. JEFFERSON.
H.R. 3205: Mr. PETE GEREN of Texas, Mr. KLEIN, Mr. ANDREWS of Texas, Mr. ENGLISH of Oklahoma, Mr. LANCASTER, Mr. WILSON, Mr. MINGE, and Mr. ZELIFF.
H.R. 3212: Mr. BAKER of Louisiana and Mr. PETRI.
H.R. 3228: Mr. HUGHES and Mr. SHAW.
H.R. 3235: Mr. FLAKE, Mr. KANJORSKI, Mr. PICKLE, Ms. VELÁZQUEZ, and Mr. HINCHEY.
H.R. 3250: Mr. ROHRABACHER and Mr. BAKER of Louisiana.
H.R. 3256: Mr. CRAMER, Mr. FROST, Mr. EMERSON, Mr. WALSH, Mr. KLUG, Mr. MURPHY, and Mr. LIPINSKI.
H.R. 3269: Mrs. UNSOELD, Mr. FILNER, Mr. BOUCHER, Mr. MCHUGH, Mr. LIPINSKI, Mr. JEFFERSON, Mr. GUTIERREZ, and Mr. NEAL of North Carolina.
H.R. 3272: Mr. MCCOLLUM.
H.R. 3278: Ms. VELÁZQUEZ, Ms. PELOSI, Mr. BLACKWELL, and Mr. LEWIS of Georgia.
H.R. 3301: Mrs. MALONEY, Mr. FRANK of Massachusetts, Mr. NEAL of North Carolina, Mrs. ROUKEMA, Mr. HOCHBRUECKNER, Mr. LEWIS of Georgia, Ms. BYRNE, and Mr. ROMERO-BARCELO.
H.R. 3341: Mr. THORNTON.
H.J. Res. 79: Mr. BACCHUS of Florida, Mr. BARLOW, Mr. CLINGER, Mr. DEUTSCH, Mr. EVERETT, Mr. HANSEN, Mr. INHOFE, Mr. KILDEE, Mr. KLING, Mr. LANTOS, Mr. MORAN, Mr.

OXLEY, Mr. PACKARD, Mr. PAYNE of New Jersey, Mr. PASTOR, Ms. PELOSI, Mr. PETRI, Mr. ROBERTS, Mr. ROTH, Mr. RIDGE, Mr. SCHUMER, Mr. SOLOMON, and Mr. SMITH of Iowa.

H.J. Res. 159: Mr. GILMAN, Mr. JOHNSON of South Dakota, Mr. SAXTON, Mr. HUNTER, Mr. WYDEN, Mr. WHEAT, Mr. BONIOR, Mr. PRICE of North Carolina, Mr. MANTON, Mr. ORTON, Mr. KANJORSKI, Mr. PAYNE of New Jersey, Mr. GRAMS, Ms. PELOSI, and Mr. HILLIARD.

H.J. Res. 163: Mr. PETE GEREN of Texas.

H.J. Res. 175: Mr. BARCA of Wisconsin, Mr. CLEMENT, Mr. CONYERS, Mr. VALENTINE, Mr. WHITTEN, Mr. SWETT, Mr. WYNN, Mr. REGULA, Mr. BERMAN, Mr. PARKER, Mr. SKEEN, Mr. SHAYS, Mr. MOAKLEY, Mr. KENNEDY, Mr. PETE GEREN of Texas, and Mr. FRANKS of New Jersey.

H.J. Res. 212: Mr. BOEHLERT and Mr. PAYNE of Virginia.

H.J. Res. 216: Mr. BARLOW, Mr. GENE GREEN of Texas, Ms. NORTON, Mr. MANTON, Mr. BACHUS of Florida, Mr. BARCA of Wisconsin, Mr. PETE GEREN of Texas, and Mr. MCCANDLESS.

H.J. Res. 242: Mr. LEWIS of Georgia, Ms. VELÁZQUEZ, Mr. OWENS, Mr. PETE GEREN of Texas, Mr. LEWIS of California, Mr. BOEHLERT, Mr. DIXON, Mr. HOLDEN, Ms. NORTON, Mr. UNDERWOOD, Mr. QUILLEN, Mr. REYNOLDS, Mr. STOKES, Mr. BILIRAKIS, Mr. HINCHEY, Mr. GALLO, Mr. POMEROY, Mr. KLINK, Mr. QUINN, Mr. HANSEN, Mr. THOMAS of Wyoming, Mr. SISISKY, Mr. SYNAR, Mr. RICHARDSON, Mr. EMERSON, and Mr. CLINGER.

H.J. Res. 246: Mr. BERMAN, Mr. BLILEY, Mr. CLEMENT, Mr. CONYERS, Mr. DREIER, Mr. GONZALEZ, Mr. KLEIN, Mrs. MALONEY, Mrs.

MORELLA, Ms. NORTON, Mr. PASTOR, Mr. PRICE of North Carolina, Mr. ROEMER, and Mr. ROHRBACHER.

H.J. Res. 247: Mr. SCHUMER, Mr. CARDIN, Ms. PELOSI, Mr. HOLDEN, Mrs. LLOYD, Mr. BARCA of Wisconsin, Mr. SCHIFF, Mr. WYNN, Mr. FAWELL, Mr. SCHAEFER, Mr. BISHOP, Mr. JOHNSTON of Florida, Ms. WATERS, Mr. JOHNSTON of Georgia, Mr. ROWLAND, Mr. BONIOR, Mr. FROST, Ms. KAPTUR, Mr. FINGERHUT, Mr. MORAN, Mr. EDWARDS of California, Mr. BROWN of Ohio, Mr. EVANS, Mr. HOEKSTRA, Mr. TALENT, Mr. BARRETT of Wisconsin, Mr. KILDEE, Mr. BLILEY, Mr. OLVER, Mr. WASHINGTON, Mr. MANN, Mr. TORKILDSEN, Mrs. BENTLEY, Mr. DELLUMS, Mr. ROMERO-BARCELO, Mr. RICHARDSON, Mr. GINGRICH, Mr. GALLEGLY, Mr. GUNDERSON, and Mrs. JOHNSTON of Connecticut.

H.J. Res. 264: Mr. MOAKLEY, Mr. HUGHES, Mr. BONIOR, Mr. PORTER, Ms. PELOSI, and Mr. HEFNER.

H.J. Res. 266: Mr. BATEMAN and Mr. MARTINEZ.

H.J. Res. 274: Mr. FROST and Mr. MCDERMOTT.

H.J. Res. 278: Ms. BYRNE and Mr. SARPALIUS.

H. Con. Res. 20: Mr. KREIDLER.

H. Con. Res. 103: Mrs. MEEK.

H. Con. Res. 122: Mr. FARR, Ms. SCHENK, Ms. ESHOO, Mr. LANTOS, Mr. GALLO, Mr. KING, and Mr. MATSUI.

H. Con. Res. 124: Mr. FOGLIETTA, Mr. ROHRBACHER, Mr. FRANK of Massachusetts, Ms. PELOSI, Ms. BYRNE, Mr. BOUCHER, and Mr. PRICE of North Carolina.

H. Con. Res. 126: Mr. EVANS, Mr. MCINNIS, Ms. NORTON, and Ms. SHEPHERD.

H. Con. Res. 148: Mr. BURTON of Indiana, Mr. BARTON of Texas, Mr. ARMEY, Ms. ROSELEHTINEN, Mr. DORNAN, Mr. SMITH of Oregon, Mr. KING, Mr. PENNY, Mr. APPLIGATE, Mr. GEJDENSON, and Mr. HILLIARD.

H. Con. Res. 159: Mr. FINGERHUT and Mr. WALSH.

H. Res. 122: Mr. SCHIFF, Mr. SANDERS, Mr. TORKILDSEN, and Mrs. MEYERS of Kansas.

H. Res. 234: Mr. PAYNE of Virginia, Mr. MONTGOMERY, Mr. HOUGHTON, Mr. HOEKSTRA, Mr. MCCLOSKEY, Mr. HAMILTON, Mr. NEAL of North Carolina, Mr. OXLEY, Mr. ENGEL, Mr. EVANS, Mr. WHITTEN, and Mr. BILBRAY.

H. Res. 277: Mr. BARLOW, Mr. CASTLE, Mr. BAESLER, Mr. POMEROY, Mr. TEJEDA, Mr. BROWDER, Ms. PRYCE of Ohio, Mr. SWETT, Mr. GILLMOR, Mr. GUNDERSON, and Mrs. LLOYD.

H. Res. 281: Mr. STEARNS, Mr. GOSS, Mr. COLLINS of Georgia, Mr. SMITH of Texas, Mrs. VUCANOVICH, Mr. RAMSTAD, Mr. COMBEST, Mr. CRANE, Mr. GILLMOR, Mr. BLILEY, Mr. PAXON, Mr. KNOLLENBERG, Mr. UPTON, Mr. EWING, Mr. ARMEY, Mr. POMBO, and Mr. BUNNING.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H. Con. Res. 166: Mr. DORNAN.